CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENT

CITY CLERK'S OFFICE
NO ANS
REFER FILE
JUL 8 1 13 PM 85

520/03276
CC&W
July 8, 1985

To: Land Use Committee

Subject: Final Report on the Railway Lands Part II Official Plan and Zoning By-law

Origin: Commissioner of Planning and Development (PLUC85398:81)

METROPOLITAN TORONTO LIBRARY
Municipal Reference

Contents of this Report

Introduction

Section:1 Background and Purpose of this Report.

Section 2: Land Use Committee Requests at its Meeting of April 23, 24 and 25.

Section 3: Issues raised as the Result of Circulation of the Railway Lands Part II: Proposals and Railway Lands Part II: Implementation Strategy Reports.

Section 5: Revised Part II Plan for the Railway Lands.

Section 6: Zoning Bylaw for the Railway Lands.

Section 7: Recommendations

Appendix 1: Draft Bylaw, Including Part II Plan for the Railway Lands

Appendix 2: Draft Zoning Bylaw

Appendix 3: Copies of Responses Received as Result of Circulation of Proposals and Implementation Strategy Reports to, the Relevant Departments and Agencies.

Appendix 4: Summary of Revisions to the Version of The Part II Plan Included in Proposals Report

Appendix 5: Cross Reference Guides Requested by the Land Use Committee at its Meeting of April 23, 24 and 25.

July 3, 1985

Introduction:

This report recommends the enactment of a Part II Official Plan and a Zoning By-law for the Railway Lands. Attached to the report in Appendices 1 and 2 are the draft by-laws required to implement the recommendations.

This report does not respond to the City Council motions passed at its meeting of June 17 and 21, 1985. These motions will be dealt with in a further policy report to be submitted to the Land Use Committee by the end of July. I will be reporting at the same time on a proposed Memorandum of Conditions. Both the policy report and the report on the Memorandum of Conditions must be before the Land Use Committee when it considers this report and the attached Part II Plan and Zoning Bylaw.

I have arranged my reporting in this manner in order to ensure that City Council has the opportunity to fully consider these matters in the course of its present term. Should the Land Use Committee and City Council decide to proceed in August, then I expect that City Council would have the opportunity to consider confirming the by-laws at its meeting of October 7, 1985, following the required 35 day circulation period.

1. BACKGROUND AND PURPOSE OF THE REPORT

Following a series of public Land Use committee meetings held in October and November, 1983, City Council, in December, 1983, endorsed the September, 1983 report entitled Railway Lands Part II: Development Concept as a framework for the resolution of outstanding issues and as a basis for the development of a comprehensive implementation strategy, including, among other things, a Part II Official Plan and Zoning By-law.

In March of 1985, following extensive discussions with officials of City and Metro departments and other agencies, including the relevant provincial ministries, two reports entitled Railway Lands Part II: Proposals and Railway Lands Part II: Implementation Strategy were submitted to the Land Use Committee for consideration and review. The first report included a proposed Part II Official Plan for the Railway Lands. The second report set out a comprehensive implementation strategy that addressed mechanisms of development control, land exchanges and conveyances, infrastructure requirements and cost-sharing, phasing of development and other related matters, including property rights.

The draft Part II Plan contained in the Railway Lands Proposals report included modifications to the Railway Lands Development Concept in order to accommodate a covered stadium and multi-purpose facility to be located generally to the west of the CN

Tower, as announced by former Premier Davis in January of this year.

After receiving these reports at its meeting of March 28, 1985, the Land Use Committee requested that they be circulated to the relevant departments and agencies, and that public Land Use Committee meetings bel held to hear deputations from the public. The Committee also recommended that a Final Report on the Railway Lands Part II Plan and Implementation Strategy be prepared, which would take into account the results of the circulation process and the public meetings, and would include a draft by-law giving effect to the Part II Plan, a draft Zoning By-law and a draft Memorandum of Conditions. (The Memorandum of Conditions is to include the conditions to be included in any further agreements, particularly as they relate to land exchanges and conveyances, cost-sharing and the provision of infrastructure and other related matters.)

In accordance with the instructions of the Land Use Committee, the Railway Lands Part II: Proposals and the Railway Lands Part II: Implementation Strategy reports were circulated to the relevant departments and agencies, and three public meetings of the Land Use Committee were held on April 23, 24 and 25, at which deputations from the public were heard.

Following the hearing of deputations, the Land Use Committee referred both the Proposals and Implementation Strategy reports, along with copies of all written submissions received on the reports, to Council for its information. The Land Use Committee also made a number of requests, which are discussed in Section 2 of this report.

Council considered the material from the Land Use Committee (Clause 1 of Land Use Committee report No. 11) at its meeting of May 21 and 24. Following consideration of the material it referred the clause back to the Land Use Committee for resubmission to Council at its meeting of June 17. At the same time Council requested that I report to its June 17th meeting on all motions placed by members of Council during the meeting of May 21 and 24.

At its meeting of June 17 and 21 Council had before it the requested report (Railway Lands Part II Proposals and Implementation Strategy. Comments on motions placed by Members of Council, June 12, 1985), as well as all the information it had considered at its meeting of May 21 and 24. All of this material is included in Clause No. 1 of Land Use Committee Report No. 11.

At its meeting of June 17 and 21 Council adopted a number of motions regarding the material in Clause 1 of Report No. 11, including a motion that "the Commissioner of Planning and Development be requested to negotiate a reduction in the non-residential density permitted in the Railway Lands by approximately 300,000 square metres, or in the alternative provision of significant public amenities, e.g. provision of assisted housing, resstration of the roundhouse as a railway museum, etc."

During my considerations of how to schedule the various reports requested by the Land Use Committee and Council, I was advised in a letter dated June 28, 1985 and signed by a majority of the members of Council that I should proceed expeditiously with the Final Report requested by the Land Use Committee so that the matters related to the Railway Lands Part II Plan could be considered before the end of the present Council term. I am therefore submitting this report in response to the March 28th instruction of the Land Use Committee.

As noted in the Introduction to this report, I will also be submitting two additional reports to your Committee, one on the Memorandum of Conditions, as requested by the Land Use Committee at its meeting of March 28 and the other on Council's requests at its meeting of June 17 and 21. All of these three reports (the present report, the report on the Memorandum of Conditions and the report on Council's requests at its meeting of June 17 and 21) must be before your Committee for consideration at the same time.

In summary, the primary purpose of this report is to provide your Committee with major components of the Final Report requested at its meeting of March 28, i.e. a draft Part II Plan and Zoning Bylaw which are based on the Proposals report following consideration of the results of the April public meetings and the circulation process. An additional third component, a report on the Memorandum of Conditions, is to follow, as noted above. This Final Report has been prepared and submitted at this time in order to allow for the 30-day notice period prior to your Committee's consideration of bylaws to implement the Part II Plan and Zoning for the Railway Lands.

The bylaws respecting the Part II Plan and Zoning Bylaw are included in Appendices 1 and 2 to this report. The comments received at the April public meeting and the responses received to date as a result of the circulation of the Proposals and Implementation Strategy reports are discussed in Sections 3 and 4 of this report.

2. LAND USE COMMITTEE REQUESTS AT ITS MEETING OF APRIL 23, 24 AND 25

Following the public deputations on the Railway Lands Part II: Proposals and the Railway Lands Part II: Implementation Strategy reports at the Land Use Committee public meetings of April 23, 24 and 25, 1985, the Land Use Committee requested the following:

(a) A cross reference guide for the Railway Lands Part II: Proposals report identifying those matters brought forward as a result of Council's action on December 12, 15 and 16, 1983, with respect to the Railway Lands Part II: Development Concept.

Two cross reference guides have been prepared in response to this request, and are included in Appendix 5 to this Report.

(b) Information on the latest cordon counts.

As I understand it, this information will be available in preliminary form in the near future and I will be reporting on it at that time.

(c) Provision of cost figures used to prepare Table 1 in the Railway Lands Part II: Implementation Strategy.

Table 1 contained in the Implementation Strategy report was provided as a summary to clearly demonstrate cost sharing percentages for the major elements of Railway Lands infrastructure. It is intended to convey information on the principles of cost sharing and their order of magnitude, not on the actual cost breakdown of individual items.

A response to the request for itemized cost estimates of known infrastructure requirements for the Railway Lands requires further consideration in consultation with the relevant departments. I will attempt to incorporate these detailed estimates in the forthcoming report on the Memorandum of Conditions.

(d) Means of regulating the modal split.

My report entitled Railway Lands Development and Future Modal Split, dated July 4, 1985, has been submitted to the Land Use Committee for its consideration.

(e) An undertaking of the railways to neither request nor support a request for expressways.

The letters from Marathon Realty and CN Real Estate have been requested, but, to date, they have not been received.

3. ISSUES RAISED AT PUBLIC MEETINGS

On March 28, 1985, the Land Use Committee authorized a series of public Land Use Committee meetings to hear deputations on the Railway Lands Part II: Proposals and Railway Lands Part II: Implementation Strategy reports. These meetings were held on April 23, 24 and 25, 1985. Copies of all the written deputations received are included in Clause 1 of Report No. 15 of the Land Use

Committee, which was before Council at its meetings of May 21 and 24 and June 17 and 21, 1985.

The issues raised at the April public meetings can be grouped into the following general categories:

(a) the proposed covered stadium,

(b) the proposed levels of commercial development,

(c) the proposed amount of residential density,

(d) the traffic and transit implications of the proposed densities and uses,

(e) the proposals concerning Railway Heritage, and

(e) other items.

3.1 The Proposed Covered Stadium

The main concern expressed by the majority of the deputants who addressed the stadium issue was that the construction of a covered stadium might conflict with the needs of Torontonians for more affordable housing and social services, both in terms of its proposed location and public cost.

The introduction of the covered stadium into the area adjacent to the CN Tower did result in the displacement of a certain amount of medium and high density residential development. However, this residential development potential was replaced to the west by the introduction of a stronger residential emphasis in the Spadina sub-centre and a slight increase in the number of residential units in the Bathurst-Spadina Neighbourhood (from approximately 2000 to 2300 units). There has therefore been no overall reduction in the number of residential units as the result of the inclusion of the proposed stadium in the Part II Plan.

In terms of the cost of the stadium, construction costs and public funding are not matters over which City Council has control, and the costs of improved transportation services and general infrastructure are not the result of the proposed stadium alone. In particular, the transportation infrastructure associated with the stadium is necessary for the development of all parts of the Railway Lands, and will also serve the Central Area as a whole.

Concerns regarding the possibility that the stadium would create severe traffic, parking and transit problems for the immediate and general area have been extensively examined by the Ontario Stadium Corporation, who found the Railway Lands location satisfactory in terms of transportation capacity. Because Council, at its meeting of June 17 and 21, requested a report on the transportation implications of the stadium, I will deal with this matter in my forthcoming report on Council's motions.

Finally, some deputants recommended alternate locations for the stadium, including the C.N.E., Woodbine, Downsview and south of Union Station. The first three of those sites have already been reviewed by the the Ontario Stadium Corporation, who ultimately recommended the Railway Lands site. The last, a site south of Union Station, is not large enough for a stadium and the location of a stadium in this area would contradict many of the planning objectives for the Railway Lands.

3.2 Levels of Commercial Density

Some deputants argued that the proposed Part II Plan allocates an excessive amount of office density to the Railway Lands, particularly in the context of the City's Part I Official Plan and Metroplan. Certain deputants argued that, in particular, the Spadina Sub-centre is too dense and its proposed commercial densities should be reduced.

The City's Part I Plan allocates 5,800,000 square feet of office space to the portion of the Railway Lands in the Central Core, i.e. east of John Street. In contrast, the proposed Part II Plan allocates approximately 7.38 million square feet of office space to this area. (This figure is approximately 250,000 square feet greater than the amount allocated to this area in the Development Concept report. As noted in the Proposals report, this relatively modest increase from the Development Concept was required for the resolution of the issue of Canada Post's contribution to public benefits.)

The site planning and urban design principles used in the determination of development potential in the Central Core portion of the Railway Lands are described in detail in Section 2.3 of the Development Concept report. It should be noted that the densities applied to this area are consistent with those now permitted in the Financial District and High Density Mixed Commercial Residential Areas to the north. In addition, although Marathon Realty requested considerably higher non-residential densities in a March 8, 1983 application for a Part II Plan (filed jointly with CN Real Estate), the non-residential densities in the area east of John Street in the proposed Part II permitted the issue of density to be resolved.

The site planning and urban design principles set out in Section 2.3 of the Development Concept report were also utilized in the determination of the appropriate level of development for the area west of John Street. This level of development changed very little in the prepartion of the proposed Part II Plan, although the introduction of a site for the proposed covered stadium resulted in higher density figures, in terms of the ratio of development potential to site area, especially along Spadina Avenue.

The level of commercial development for the area west of John Street set out in the proposed Part II is also substantially less than that requested in the joint application of March 8, 1983, and permitted a resolution of the issue of density in this area.

3.3 Proposed Level of Residential Development

A number of deputants argued that the amount of housing (5,150 units) proposed for the Railway Lands is inadequate, and recommended amounts ranging from 7,500 units to 18,000 units. To increase the amount of housing, it was recommended that the plan permit housing on the site of the stadium, and on sites where commercial density should be reduced. Some deputants also argued that the residential density proposed for the Bathurst-Spadina Neighbourhood appeared twice as high as that of St. Lawrence (approximatley 4x compared to approximately 2x) and that they be reduced accordingly. This issue is dealt with in detail in Section 5.6 of this report.

In general, the issue of the level of residential development has been addressed extensively in my earlier reports on the Railway Lands, and I have no further comments to make on this issue at this time.

Other deputants suggestedthat at least 50% of the housing in the Railway Lands be public, and that the F.S.I. system be used for the calculation of residential density. Currently it is anticipated that 1,750 units of 5.150 residential units (approximately 35%) will be on land to be provided to the City. This is consistent with requirements in surrounding areas, including Harbourfront. I will be dealing further with the matter of the development of these sites and related issues in the forthcoming reports described elsewhere in this report. The matter of F.S.I density is dealt with in Section 6.3.6 of this report.

3.4 Traffic and Transit Implications

A number of arguments were raised by deputants regarding the traffic and transit implications of the proposed development of the Railway Lands. One general concern expressed was that a comprehensive transportation plan was needed before approval could be given to the redevelopment of the Railway Lands, including the stadium. Other deputants argued that the proposed increases in road and transit capacity suggested in the September 1983 Development Concept report undermined the principles of both the City's and Metro's Official Plans. Concerns were also expressed over the costs of road and transit proposals. The projected employment increases upon which the need for future increases in transportation capacity are predicted were questioned. At the more local level, concern was expressed that traffic generated by the development of the Railway Lands would create traffic and parking problems in surrounding areas. Questions were also raised concerning the future of the Gardiner Expressway and the proposal alignment of Simcoe Street. These concerns are addressed below.

3.4.1 General Transportation Planning Issues Including Compatibility With Existint Part I Policies and Metroplan.

The 1983 Development Concept report outlined the major elements of a comprehensive long-term transportation plan for the entire Central Area, including the Railway Lands. The analysis underlying this plan assumed that past rates of office development in the Central Area would continue into the future, and that the standard assumptions regarding trip generation, distribution and modal split would, with some modifications, continue to apply. However, a number of these assumptions are being reviewed in detail by City Planning staff as a part of the second quinquennial review of the Central Area Plan.

The Proposals report emphasized that it was not appropriate to place the entire responsibility for the regional road and transit requirements outlined in the Development Concept report on the development of the Railway Lands, since these facilities were intended to serve the future growth and resulting transportation demands of the Central Area as a whole, not just the Railway Lands. Consequently, the proposed Part II transportation-related policies are limited largely to local on-site transportation needs.

The transportation analysis contained in the Development Concept report preceded the announcement of the location of a new stadium in the Railway Lands, and therefore did not include a study of the transportation impacts of this facility. At its meeting of June 17 and 21, Council requested that I report on the transportation implications of the stadium proposal. The findings of my review of this matter will be included in the forthcoming report on Council's actions at that meeting.

The question of the compatibility of the improvements set out in the Development Concept report with existing Part I Official Plan policies and Metroplan is complex. With respect to transit, the City's Official Plan recommends against major additional transit facilities being built to service the Central Area in the short term, although the Plan clearly supports public transit as a more desirable mode of transporation than the private automobile in terms of compatibility with Metroplan, the recently released Metro/TTC report on long-range rapid transit needs, Network 2011, proposes that an additional rapid transit line to serve the Central Area be built over the 1994-1999 period, subject to further reviews. Metro planners have indicated an intention to amend the Metropolitan Official Plan to accommodate this line, and the proposed construction schedule is regarded as consistent with the general land use policy of supporting the deconcentration of employment centres.

As pointed out in the Development Concept report, the approval of the proposals to increase the capacity of the regional road system, notably a Front Street extension if undertaken in combination with a Gardiner Expressway widening, would be inconsistent with certain transportation provisions set out in the City's Official Plan, specifically Section 7.2(b). However, it should be noted that these increases in the capacity of the regional road system were proposed to serve the growth of the Central Area as a whole, including the Railway Lands, and not the Lands alone.

On the basis of the transportation analysis conducted in 1983, the Front Street and Gardiner proposals were considered necessary road improvements to maintain a balance between the land use development and transportation capacities of the Central Area in the long term. In my June 12, 1985 report, Railway Lands Part II Proposals and Implementation Strategy. Comments on Motions Placed by Members of Council, it was pointed out that the City's existing Part I Plan contains a quinquennial review process that requires reviews of the relationship between development and the capacity of the transportation system, and in accordance with the revised Part II Plan (Section 2.5, Appendix 1 of this report), the entire Railway Lands will be subject to this review process. As explained in the June 12th report, Section 7.2(b) of the Part I Official Plan relates to the entire Central Core and, consequently, is best dealt with in the context of the quinquennial review process rather than in the narrower or more limited framework of the Railway Lands Part II Plan. As discussed in Section 5.1 of this report, the Part II Plan has been revised so that the entirety of the Railway Lands will be included in quinquennial reviews.

3.4.2 Range of Employment Projections

The second quinquennial review is currently underway, and will be reported upon in early 1986. This review will include an evaluation of the assumptions used in the 1983 transportation analysis of the Central Area, with particular attention being given to estimates of future employment growth. The need for and timing of Central Area transportation improvements are critically dependent upon the assumed levels of employment growth.

A second set of transportation concerns were related to the wide range to be found in recent employment projections for the Central Area, and the resulting level of confidence that can be placed in subsequent estimates of future requirements for increased transportation capacity. For example, Central Area employment has only recently recovered to 1981 levels following an unexpected decline over the 1981-4 period. Over this same time period, the amount of completed office space in the Central Core increased by 15.5% or 768,545 sq. m (8.3 m. sq.ft.) and office vacancy rates rose from 2% to 12%.

The current set of Central Area Office employment projections can be summarized as follows:

TABLE 1

Source	Increase	
1. Metro CWTS* Study (May, '83)	95,000	additional office workers south of Queen (1981 base)
2. City Response to CWTS (Oct., '83)	120,000	additional office workers all of Central Area (1982 base)
3. Metro Dec. '84 "Projections"	84,000	total employment increase 1981-2011 for Central Area
4. DVCTS** Study (July, 1983)	65,500	total employment increase 1981-2001 for Central Area
5. Woods-Gordon Study (May, '84)	38,000	to 76,000 office employment increase 1981-2001 for Central Area

* CWTS : Central Waterfront Transportation Study
** DVCTS : Don Valley Corridor Transportation Study

It should be noted at the outset that these employment projections apply to different areas, time-frames and types of employment. The first two estimates in Table 1 were derived from potential development proposals and can be regarded as "supply side" forecasts. The Metro forecast looked only at office development potential south of Queen Street, while the City forecast included the area to the north. Neither forecast is attached to a specific time-frame, although, by applying current assumptions regarding the rate at which office space is built and occupied, each can be regarded as a 20 to 25 year forecast for its respective area.

The third estimate in Table 3 is based on demographic considerations and relates to a forecast for all employment (not just office) in the Central Area over the period 1981-2011. The DVCTS estimate has a similar basis, but does not include part-time employment and applies to a 1981-2001 forecast period. The Woods-Gordon estimate was one of three forecasts made for the Metro/TTC "Downtown Rapid Transit Study", and provided a range of office employment increase over the 1981-2001 period for the Central Area based on various assumptions regarding the total percentage of the estimated Metropolitan Toronto Region labour that will work in Downtown offices.

To a large extent the differences in the employment forecasts described above can be reconciled or the differences explained when the considerations outlined above are taken into account. However, the forecasts indicate some of the complexities involved in projections of this nature and, generally, the smaller the area being studied and the larger the forecast period, the less reliable are the results. In comparing actual results to forecast trends, it is interesting to note that between 1981-4, total Central Area employment declined marginally from a level of 336,000 to 330,000 jobs, with office employment recovering to 212,000 jobs in 1984, (which is just slightly higher than the 1981 level of 209,000). Although the 1981-4 period may not prove typical of the long-term picture, the employment figures for this period suggest that perhaps the late eighties and the nineties will differ from the sixties and seventies in terms of Downtown office employment growth. It is partly in relation to these considerations that the review of employment projections referred to above as part of the second quinquennial review is considered to be of particular importance, especially with respect to future transportation planning decisions.

3.4.3 Potential Cost of Transportation Improvements

A third concern raised at the meetings was the belief that the recommended package of road and transit improvements would cost over $750 millions to implement. This figure is related to improvements identified in the Metro/TTC Central Waterfront Transportation Study. However, it should be noted that this package of transportation improvements is designed to service the future growth of the entire Central Area, and would be implemented over a 20-year period. In addition, Metro/TTC staff, in preparing the recent Network 2011 (May 1985) report, concluded that the major road and transit elements required to service the long-term development of the Central Area are affordable if appropriately staged, and if the Provincial Government maintains its current cost sharing arrangements with the Metropolitan Corporation. It should also be noted that all these major transportation improvements are currently under study and none have yet received final approval. It is possible that not all of the recommended facilities will be required or justifiable in the long term.

3.4.4 Impact of Traffic on Surrounding Areas

A fourth concern was the impact of the traffic generated by the development of the Railway Lands on surrounding areas, particularly existing neighbourhoods. In this regard, there will inevitably be some increases in through traffic and local road congestion, although I do not expect that the St. Lawrence Neighbourhood will be measurably affected, as was argued by some deputants. It is expected that, with the type of road and transit improvements outlined in the Development Concept report and with appropriate parking requirements for developments in the Railway

Lands, including the proposed stadium, these negative traffic impacts on surrounding neighbourhoods can be controlled within acceptable limits. For example, the proposed Front Street extension in combination with a possible Gardiner Expressway widening would provide additional road capacity from the west, if required, and would encourage traffic to keep on the major highways and arterial roads rather than filtering through local neighbourhood streets. In general, the local (within the Railway Lands) and regional road improvements are intended to maintain existing levels of service and, overall, it is expected that there will be a continued modal shift towards transit, which will help to limit increased automobile commuting. This latter point is considered more fully in my accompanying report entitled Railway Lands Development and Future Modal Split.

The implications of the Railway Lands proposals for the Royal Bank Computer Centre on Front Street were also raised. This matter is under discussion, and I am confident it can be resolved.

3.4.5 Future of the Gardiner Expressway

Further reports were requested by the Land Use Committee following the hearing of deputations on issues related to possible future changes to the design and operation of the Gardiner/Lakeshore road system. In response to this matter, City Council, at its meeting of June 17 and 21, 1985, adopted a motion to request the Commissioner of Planning and Development to report on:

> "the desirability of establishing a Task Force to consider alternatives for reducing the barrier effect of the Gardiner Expressway, and on the potential composition and terms of reference of such a Task Force."

I am currently preparing a report on this proposal for a Task Force and will bring it forward for this Committee's consideration at the earliest possible date.

3.4.6 Alignment of Simcoe Street Extension

A final transportation consideration relates to the Harbourfront Corporation's recommendation to the Land Use Committee, raised by Harbourfront Corporation, is that the proposed southern extension of Simcoe Street through the Railway Lands to Queens Quay should be "straightened". The current proposal for this road extension has in it a jog in order to take advantage of the most generous column spacing available under the Gardiner Expressway and to define a more developable pattern of blocks on that part of the Railway Lands site across which the extension traverses.

3.5 Railway Heritage

Although generally in favour of the City's progress on railway heritage, several deputants raised certain specific concerns. In particular, concern was expressed that Railway Lands development plans assumed the removal of the railway car shop and locomotive stores building. Additionally, concerns were expressed regarding the Railway Interpretive Centre proposal prepared as part of the Burton/Davis Railway Heritage Report II.

The railway car shop is slated for removal due to the location of The Esplanade West Street and because the building blocks access to the Central Park. The locomotive stores building also tends to limit effective use of the Central Park. However, its usefulness may be ultimately determined by the Historical Board and the proposed Railway Interpretive Centre Steering Group.

3.6 Other Issues

The deputants also raised other issues or suggestions that do not fall within the general categories set out above.

For example, it was suggested that a bus depot be located adjacent to Union Station. This matter is addressed in my earlier report, Railway Lands Part II: Proposals, and I have no further comments to make at this time.

Concern was also expressed that the phasing of development from east to west would mean that the major residential areas between Bathurst and Spadina would be developed last. In response, it is, in fact, unlikely that development will proceed in an east to west fashion, since the most imminent development is the stadium Precinct.

It was suggested that the Plan contains "hidden" densities because some densities are calculated on secondary streets, certain open spaces and walkways, which would not be built upon anyway. There are no hidden densities, in fact, every effort has been made in the Development Concept and Proposals report, and in the model prepared to illustrate proposed Railway Lands development, to indicate, to the extent possible, the maximum amount of square footage and building volume which could result from the full implementation of these plans.

Concern was expressed that the "h" (Holding) designations to be placed on the lands will prevent the pubic from being involved in the process: This issue is discussed in detail in my June 12, 1985 report entitled Railway Lands Part II: Proposals and Implementation Strategy. Comments on motions placed by members of Council. Moreover, as proposed in that report, the Part II Plan has been revised to include a requirement for a public meeting prior to the enactment of a by-law to remove the "h" from a precinct. This matter is discussed in Section 5.7 of this report.

It was also recommended that density transfers not be permitted. This would seem to be an onerous restriction given that there is not now a context to the lands and that a certain amount of flexibility is required in this regard. For these reasons, among others, the Commissioner of Housing has advocated that the density transfer policy be extended to the Bathurst-Spadina Neighbourhood. This revision has been made, and is discussed in Section 5.6 of this report.

Concern was expressed that the proposed plan threatens the future of the Central Industrial District to the north of the Railway Lands. The City's primary objective for the Central Industrial District is to retain the existing industrial base and to encourage its expansion, where this is desirable. Currently this area appears to be most threatened by the development pressures for a westward expansion of the Financial District and its secondary office functions. In that this plan recommends that the Financial District be extended southward, and that secondary office spaces be located in the Railway Lands, it is seen as reducing the pressures on the Central Industrial District.

Some deputants argued that the plan does not eliminate the barriers to the Waterfront; including the rail corridor and the Gardiner Expressway, and advocated the introduction of more north-south through streets. This plan has been conceived with the objectives of reducing the effect of the barriers to the extent feasible, while establishing a realistic and implementable site plan.

One deputant suggested that the City is absorbing many of the costs that developers are normally expected to pay in the City. In face, current City policy for cost-sharing with developers has been followed, and close consultation has been maintained on this matter with the other City departments most involved with these matters, i.e., the Public Works and Parks and Recreation Departments.

Finally it was recommended that the City hold a design competition to develop a plan for these lands. Given the extreme complexities involved in the dealing with matters such as land ownership, cost sharing, physical constraints, and public and private objectives, the preparation of a practical and implementable overall plan for the Railway Lands does not lend itself particularly well to the design competition process. However, I do agree that design competitions are appropriate for particular elements within the Lands, once a satisfactory workable overall site plan and development process have been established. Such specific competitions should be utilized as much as possible for the physical design of buildings and open spaces in the Railway Lands, and I will use my best efforts to bring this about.

4. ISSUES RAISED AS A RESULT OF CIRCULATION OF THE RAILWAY LANDS PART II: PROPOSALS AND RAILWAY LANDS PART II: IMPLEMENTATION STRATEGY REPORTS.

The Proposals report and Implementation Strategy reports were circulated to the relevant City and Metro departments and other government and public agencies for their review and consideration, and responses have been received from the Ministry of Transportation and Communications, the Metropolitan Toronto Planning Department, the Toronto Board of Education, the Metropolitan Separate School Board, the Ministry of the Environment, the Toronto Transit Commission, VIA Rail, the Toronto Harbour Commissioners, the Ministry of Municipal Affairs and Housing, the Ministry of Citizenship and Culture, the Medical Officer of Health for the City, and the City Department of Buildings and Inspections. Copies of these responses are included in Appendix 3 of this report. In addition, my staff has had extensive discussions with the City Public Works Department, the City Parks and Recreation Department, the City Property Department, the City Housing Department, and the Toronto Historical Board. The resulting responses are discussed below.

4.1 Ministry of Transportation and Communications (MTC) and GO Transport

The MTC response includes the views of GO Transport and raises three principal concerns regarding the Part II Plan Proposals: the ultimate width of the rail corridor, passenger handling at Union Station, and the GO Transit storage yards at Bathurst Street.

4.1.1 Rail Corridor Width

With respect to the rail corridor width, the MTC is concerned that the total width shown in Map B of the proposed Part II may not be sufficient to meet the long-range requirements of all rail users. GO Transit and VIA Rail are currently involved in a joint study to determine what these long-range requirements are, and the results of the study should be known shortly. Until this time, the MTC believes that it is premature to define a specific width for the rail corridor in the Part II Plan.

In response to these points, it should be noted that Map B is not intended to define the precise width of the rail corridor and relatively modest changes to the width of the corridor can be made without amendment to the Part II Plan. The provision for such minor boundary adjustments is set out in Section 1.3 of the proposed Part II. Moreover, since the results of the joint VIA/GO Study are expected to be released in the near future, appropriate modifications, if required, may be made prior to final approval of the Part II Plan.

4.1.2 Passenger Handling at Union Station

The issue of passenger handling at Union Station is being examined as part of a general study of Union Station conducted under the auspices of the Railway Lands Steering Committee. I recognize that during rush-hours Union Station is a busy pedestrian area, but I feel that additional pedestrian linkages can be established through Union Station to enhance its overall accessibility without adversely affecting passenger handling. The proposed Part II Plan identifes the establishment of such "linkages" as a policy objective, and the Union Station Study referred to above will help determine the manner in which this objective can be met.

4.1.3 GO-Transit Storage Yards

I agree with the MTC that any development on or over these storage yards should be carefully considered so as to avoid any negative impacts on GO Transit's operations. However, it is my hope that it may eventually prove possible to re-locate these yards before the area is redeveloped.

4.2 Metropolitan Toronto Planning Department

The response of the Metropolitan Planning Department to the Part II: Proposals is generally consistent with previous comments on the Part II Development Concept.

Metro sees the proposed Land Use Plan as an appropriate guide for the development of the Railway Lands, and concludes that it is not inconsistent with the policies of the Metropolitan Official Plan respecting the Central Area and other Centres.

Metro's major concerns with the proposed Part II Plan relate to the adequacy of the regional transportation system to accommodate permitted levels of development in the Central Area, and the role that Metro will have in the control of the Railway Lands development process.

With respect to the transportation concerns, Metro's basic position is as follows:

> "...that prior to the implementation of any additional office-commercial development in the Central Area beyond that accommodated by existing City of Toronto Official Plan policies, commitments be in place to implement the proposed Front Street extension and the Gardiner widening"

From this general position, Metro argues that office-commercial development in the Railway Lands should not exceed the 5,800,000 square feet (540,000 sqare metres) currently permitted in the City's Official Plan for the area east of John Street, unless there is a commitment to the necessary regional road improvements, specifically the Front Street extension and the Gardiner widening. However, in expressing this view, Metro staff note that:

> "If the subject Part II Plan is amended to accommodate Metropolitan interests in the development control process, this issue can be properly addressed in the future as development takes place incrementally".

From these statements by Metro staff it can be seen that the questions of regional transit capacity and the development control process are not regarded as entirely separate. My staff is still discussing development control strategies with Metro staff, and obviously the outcome of these discussions could influence Metro's final position on regional transportation issues. These matters will be dealt with further in my forthcoming report on the Memorandum of Conditions. However, there are several important points related to Metro's position on transportation matters that should be noted and commented upon at this time.

The Metro response indicated that "... no transportation improvements to the Metropolitan systems are required to accommodate a Domed Stadium". In general, Metro regards its interest in the Dome Stadium to be protected by virtue of ownership of lands required for the Stadium Site. Again, the related matter of the timing of the High Line relocation will be dealt with in my report on the Memorandum of Conditions.

Metro Planning staff also concluded that the Railway Lands development would not have a negative impact on the growth of the suburban sub-centres, which are deemed to have established their own development momentum. Consequently, Metro staff do not regard the Part II Plan Proposals for the Railway Lands as inconsistent with the Central Area and Centres policies of the Metropolitan Official Plan. The Part II Plan Proposals are also not seen to preclude the regional Metropolitan transportation improvements which Metro regard as necessary to meet the long-term development growth of the Central Area. In general, Metro staff feel that the Development Concept, on which the Proposals are based, provides "... an appropriate guide for the development of the Railway Lands".

However, Metro states in its response that certain transportation requirements should be met by the railway companies before final approval of the Part II Plan and the development of certain areas of the Railway Lands. Notably, before approval of the Part II Plan, Metro has recommended that the railway companies should agree to make available to the Metropolitan Corporation, at a nominal cost, such railway lands or easements as may be required for its Front Street extension, the Harbourfront LRT turning loop at Union Station and the relief line between the Don River and Union Station. Also, according to Metro, prior to the implementation of any office-commercial development in precincts that are oriented to either Spadina Avenue or York Street, satisfactory arrangements regarding the financing of the improvements required to these Metropolitan arterial roads must be made between Metro and the railway companies.

I will be proposing in my forthcoming report on the Memorandum of Conditions that in the case of improvements to Metropolitan transportation facilities within the Railway Lands site, such as the Spadina bridge and the widening of York Street, the Memorandum of Conditions should require that Metro's interest be protected. However, the argument that the railway companies make extraordinary contributions to off-site improvements to the regional transportation system that benefit the whole Central Area, such as the proposed Front Street extension and the TTC relief line, is less compelling. The question of how to equitably provide adeuqate protection of Metro's interest in these off-site regional transportation improvements currently remains under discussion.

I agree with the Metro position that the Railway Lands development should not be looked at in isolation from the rest of the Central Area when assessing future transportation requirements. In fact, if development of the Railway Lands as proposed were not to proceed, then much of the development that would otherwise have been expected to locate there would, instead, occur in other parts of the Central Area, giving rise to essentially the same demands on the regional transportation system. In this context it is important to note that the revised Part II Plan recommended in this report requires that the Railway Lands be subject to the quinquennial reviews prescribed in the City's Official Plan in which the balance between land use and transportation capacity is examined for the entire Central Core. (See Section 5.1 below.) Metro Planning staff have also indicated the need for an on-going joint Metropolitan-City office development/transportation monitoring program, and the mechanisms for such a process are currently being discussed between City and Metro staffs.

4.3 The Board of Education for the City of Toronto

The Toronto Board of Education submitted comments on the Part II: Proposals which requested several amendments to Section 5 of the Plan, Schools and Community Services and Facilities, and also commended the Planning and Development Department for "achieving a good north-south cross connection with the siting of the Domed Stadium."

I have taken into consideration the comments of the Board and Section 5 has been revised in a manner which I believe will alleviate many of the Board's concerns. The resulting revisions to the proposed Part II Plan are discussed in Section 5.3 of this report, and are outlined in detail in Appendix 4.

4.4 Metropolitan Separate School Board

The Metropolitan Separate School Board reiterates its position that a separate school site will be required in the Railway Lands. This issue is addressed in the Railway Lands Part II: Proposals report, and the proposed Part II allows, under certain specified conditions, for the location of a school site or sites within, or adjacent to, the Community Park in the Bathurst-Spadina Neighbourhood. Revisions respecting this Community Park are discussed in Section 5.2 of this report.

4.5 The Ministry of the Environment

The Ministry of the Environment (MOE) was consulted regularly during the preparation of the Railway Lands Part II: Proposals report, and its response indicates its agreement with the Environment Section of the proposed Part II. I am confident that the revisions to Section 9 related to the stadium and to the Ministry's role in the approval process will meet with the MOE's approval. These are discussed in Section 5.5 of this report.

4.6 Ministry of Municipal Affairs and Housing

Staff of the Ministry of Municipal Affairs and Housing have been regularly consulted during the development of the proposed Part II Plan and the implementation strategy. The Ministry's letter notes that other provincial agencies will be responding directly, and, in fact, all of the relevant agencies have now submitted their responses (See Appendix 3 of this report.)

4.7 Ministry of Citizenship and Culture

The Ministry of Citizenship and Culture has submitted a draft response, which it has discussed with my staff in some detail. The Ministry's chief concern was the lack of policy directives with respect to certain heritage matters. However, as discussed in Section 5.4 and enumerated in Appendix 4 I have incorporated the Ministry's suggestions in the revised Part II Plan.

4.8 City of Toronto: Medical Officer of Health (MOH) (Communication of March 11, 1985).

In his response to environmental issues and to the Environmental Overview Study prepared for the Railway Lands Steering Group by DelCan Consulting Engineers, the Medical Officer of Health indicates his support for the proposed Development Control strategy. (This response was submitted prior to the circulation of the Proposals report, but is referred to in the MOH's response to the circulation and hence is included in this report.) In general, he is also supportive of the environmental review process outlined in Sections 9 and 11 of the proposed Part II Plan, and has stated: "Essentially, this process should suffice to address environmental health considerations that have been of concern to me and to City Council."

However, the Medical Officer of Health is concerned about the following matters:

(a) public input into the environmental review process carried out at the time of submission of a Precinct Plan,

(b) enforcement of the Environmental Agreement,

(c) the absence of a mechanism for ensuring substantial development of affordable housing on the Railway Lands,

(d) the timing of development of residential uses in the Railway Lands,

(e) the amount of housing planned for the Railway Lands, and

(f) the possiblity that Council could waive conveyance to the City of lands designated for housing.

With respect to public input into the environmental review process, this report recommends that the proposed Part II Plan be revised to include the holding of a public meeting prior to amending the Zoning By-law to remove the holding symbol for a precinct. (The issue of public involvement in this process is also discussed in my June 12th report Railway Lands Part II Proposals and Implementation Strategy. Comments on Motions Placed by Members of Council.) In addition, the proposed Part II establishes that the applicant for a bylaw to remove the holding symbol is to be made aware of current Provincial and City standards respecting the environmental matters set out in Section 9.1 of the proposed Part II.

Enforcement of the Environmental Agreements will be dealt with in detail in the agreements themselves. Since the form of an Environmental Agreement must accompany an application to remove the holding symbol, and since the application will be circulated as required by the proposed Part II Plan, the Medical Officer of Health will have an opportunity to examine these enforcement provisions. I am therefore confident that the concerns regarding enforcement will be satisfactorily dealt with.

Issues (d) - (f) are dealt with in Section 4.9 below.

4.9 City of Toronto: Medical Officer of Health (Communication of May 1, 1985)

In his response of May 1, 1985, the Medical Officer of Health again outlines the concerns regarding the development of housing in the Railway Lands addressed in his early correspondence. These concerns are addressed in Section 4.8 above.

The Medical Officer of Health is also concerned that Section 11.17 of the proposed Part II Plan makes it possible for the City to waive conveyance to the City of lands designated for housing.

With respect to Section 11.17, the Medical Officer of Health's interpretation is incorrect. Section 11.17 relates only to Council's authority to reduce the requirements for removing holding status of the by-law or to permit Council to enact by-laws to permit development of major public significance. Such a publicly significant development could, in fact, include the development by the City of lands provided to it in accordance with Section 4.4 of the proposed Part II Plan.

I have noted the concerns of the Medical Officer of Health respecting the provision of housing in the Railway Lands, which are set out in both of his letters. I will be addressing these matters in detail in my forthcoming reports on the Memorandum of Conditions and on Council's actions at its meeting of June 17 and 21.

Moreover, the specific terms under which the conveyance of lands in accordance with Section 4.4 is to occur will be dealt with in the Memorandum of Conditions, prior to the submission of applications to remove the holding symbol from a precinct. The Memorandum of Conditions will not be affected by Section 11.17 of the proposed Part II Plan.

Section 4.1(b) of the proposed Part II Plan addresses the concern of the Medical Officer of Health regarding the phasing of housing production. In addition, since the proposed Part II Plan and Memorandum of Conditions will ensure the provision to the City of approximately 13.5 acres of land for housing purposes, the City itself will play an important role in housing production within the Railway Lands.

4.10 City of Toronto, Department of Buildings and Inspections.

The comments of the Department of Buildings and Inspections support the approach taken in the preparation of the draft Zoning By-law for the Railway Lands.

4.11 Toronto Transit Commission Response

Basically, the TTC response sets out a package of transportation requirements, primarily related to transit, to be met before the Part II Plan is approved. It is suggested that the Memorandum of Conditions be employed as the principal means by which to secure these conditions.

The question of how to protect the TTC's interests is essentially the same as that raised by Metro Planning staff in relation to their concerns regarding future transportation needs. As in the Metro case, I think it appropriate that the City's Memorandum of Conditions contain provisions to protect the legitimate interests of the TTC as they relate to on-site concerns, such as pedestrian connections, new stations, the re-design of Spadina Avenue south of Front Street and the proposed Harbourfront LRT terminal at Union Station. However, as discussed in Section 4.2 of this report in relation to Metro's response, it is not clear to me that requirements for off-site regional facilities, such as the Relief Line, should be met through the terms of the Memorandum of Conditions.

There are, however, two particular points in the TTC response that require comment. First, I do not consider it necessary to protect a yard site in the Railway Lands for the Waterfront rapid transit line. As I understand the most recent Metro/TTC rapid transit proposals, as expressed in the Network 2011 report, there is no current proposal for a separate Waterfront rapid transit line. The Network 2011 report recommends the development of the "Relief Line", and the part of this line that runs west of Union Station (under either Front or Wellington Streets) would effectively replace the proposed Waterfront ICTS line. Additionally, an LRT service is proposed through the Harbourfront area along Queens Quay, and The Esplanade West right-of-way through the Railway Lands is designed to accommodate streetcar service, if required. Secondly, the Part II Proposals indicate that a new bus terminal should not be located south of Union Station.

4.12 VIA Ontario

The VIA response has one central concern regarding the width of the rail corridor. This is the same concern as expressed in the MTC response and is dealt with above in Section 4.1.

4.13 Toronto Harbour Commissioners

The Toronto Harbour Commissioners (THC) concern is related to pedestrian movements between the Central Bayfront and Union Station. The proposed Part II Plan requires the development of publicly accessible open space south of Union Station which will be connected to pedestrian linkages across Lake Shore Boulevard. Additional north-south linkages are being pursued using the "teamways" along Bay and York Streets and other available pedestrian connections.

At present, Phase I of the Pedestrian Movement south of Front Street, commissioned by City Council, has been completed and I am confident that, with the co-operation the Harbour Commissioners and other land owners in the area a satisfactory pedestrian movement system can be achieved.

4.14 City Department of Public Works

The staff of the Department of Public Works have worked extensively and co-operatively with my staff in many areas related to the Railway Lands Part II Plan and Implementation Strategy. Public Works staff have been involved in examining the proposed municipal services, including streets, sanitary and storm sewers, and water supply. In addition, the Public Works Department has worked with my Department in developing an appropriate allocation of responsibilities for the provision of services, proposed cost-sharing formulae and phasing. My further report on the Memorandum of Conditions will be prepared in consultation with the Public Works Department.

4.15 City Department of Housing

Extensive discussions between my staff and staff of the Housing Department have taken place on a regular basis, particularly with respect to the planning of the Bathurst-Spadina Neighbourhood. (Revisions affecting this area are discussed in Section 5.2 and 5.6 below.) I will also be consulting with Housing Department staff during the preparation of my forthcoming reports on Council's actions at its meeting of June 17 and 21, and on the Memorandum of Conditions.

5. Revised Part II Plan for the Railway Lands

Appendix 4 of this report contains a list of all of the revisions to the version of the proposed Part II included in my March 18, 1985 report Railway Lands Part II: Proposals. Many of these revisions are technical in nature, and have been made either to clarify statements without changing their meaning, or to correct technical errors. Because these revisions do not have any substantive effect, they are not discussed in this section.

The substantive revisions usually affect more than one section of the Plan. However, rather than noting each specific textual change, this section summarizes the substantive revisions, and sets out the reasons for their inclusion in the recommended Part II amendment. The resulting textual changes are summarized in Appendix 4.

5.1 Inclusion of the Railway Lands in Quinquennial Reviews and the Monitoring of Employment Deconcentration Required by Sections 1A.5 and 1A.8 of the Part I Plan

A new Section 2.5 has been added to the Part II which ensures that the entirety of the Railway Lands, and not just the portion located within the Central Core, will be covered in the quinquennial reviews required by Section 1A.5 of the Part I Official Plan, and in the related monitoring of employment deconcentration called for in Section 1A.8. (The monitoring required by Section 1A.8 is carried out as part of the quinquennial reviews required by Section 1A.5.) This new Section constitutes my response to the consideration of the applicability of quinquennial reviews called for in Section 5.20(e) of the Part I Plan.

The five year reviews required by Section 1A.5 are the primary means by which Council determines whether its objectives with respect to office employment and its relationship to the transportation system are being met. Although a major portion of the Railway Lands (the portion west of John Street) is not included in the Central Core, the development of this area, which could ultimately include up to 4.8 million square feet of office space in a sub-centre close to the Central Core, is relevant to the realization of these objectives. Consequently it is appropriate that the reviews take this development into account.

The inclusion of the entirety of the Railway Lands in these reviews will also ensure that the impact of Railway Lands office development on the transportation system will be monitored in the context of the most intensely developed portion of the Central Area, rather than in isolation. This is consistent with the approach taken in the transportation analysis included in the Railway Lands Part II: Development Concept report. This analysis examined the transportation impact of new Railway Lands development in the context of committed and anticipated development within the entire Central Area. This same approach was also followed in the transportation analysis on which the City's response to Metro's 1983 Central Waterfront Transportation Study was based. In both instances it was recognized that the impact of major office developments on the transportation system cannot be separated from the larger context of which they are part.

Inclusion of the entire Railway Lands in the five year reviews will mean that if, as a result of one of these reviews, amendments to the City's Official Plan are considered appropriate, these amendments will be appropriaely considered in the context of the entire Central Core.

In addition to the considerations set out above, the inclusion of the entire Railway Lands in the quinquennial reviews will respond to Council's direction at its meeting of June 17 and 21, 1985, that "notwithstanding Section 5.20(e) of the Part 1 Official Plan, the Railway Lands shall not be exempt from the provisions of the quinquennial review."

5.2 Changed Location of the Bathurst-Spadina Community Park and the Addition of a New North-South Street West of Portland Street

In the draft Part II Plan included in the Proposals report the Bathurst-Spadina Community Park was located in the northwest corner of Railway Lands, bounded by Front Street, the Portland Street extension, The Esplanade West and Bathurst Street. Following extensive discussions with officials of the Board of Education and the City Housing Department, and taking into account views expressed at public meetings on the Development Concept regarding Front Street, this park has been moved further east so that it is more centrally located within the Bathurst-Spadina Neighbourhood. Although the new location is entirely south of the rail corridor, the park will be linked to the area north of the rail corridor by pedestrian bridges and smaller open spaces north of the corridor, as shown on the revised Map D.

The area of the revised park will be approximately eight acres, which is sufficient to accommodate the active recreational facilities advocated by the Commissioner of Parks and Recreation, as well as a school site, if required. The location of a shared school and community facilities building in the park site is consistent with policies set out in Section 5 of the proposed Part II Plan.

The relocation of the Community Park and the associated addition of a new north-south street over the rail corridor between Portland and Bathurst Streets allow well-defined building parcels to be created which will help to ensure that this northwest corner of the Railway Lands is better integrated into the surrounding pattern of streets and blocks. The Commissioner of Housing favours the creation of the new building parcels west of Bathurst Street, and has expressed an interest in including these blocks in the lands to be provided to the City for housing purposes.

The relocation of the Community Park also means that it is further away from Toronto Refiners and Smelters and from the Bathurst-Front intersection. These changed conditions should help to satisfy concerns expressed by The Board of Education, which was critical of the previous park location on a potential school site. (In terms of the Board's concerns, I would note that the Part II Plan does not preclude the location of a school elsewhere in the Bathurst-Spadina Neighbourhood, should the Board decide that a location other than in the Community Park is more suitable. The proposed Part II also sets out specific environmental conditions under which a school is to be developed in the Community Park.)

In general, I am satisfied that this change to the proposed Part II Plan represents an improvement to the Development Concept. First, it permits the introduction of a new north-south street linking the Railway Lands to the City, which is consistent with City objectives for the Lands. Second, it generates clearly defined building parcels in the north-west corner of the Lands which will strengthen the role of Bathurst and Front Streets as important components of the City pattern of streets and blocks. Third, it results in a large, more centrally located park which is well linked to Front Street development sites and to the area of the City north of Front Street. Finally, this revision to the Plan also permits a lower density to be applied to Front Street General Use Area A, since, as the result of the relocation of the Community Park, this district extends further west. This fact, along with the introduction of the new north-south street and the presence of open spaces in Front Street General Use Area A, will allow a more open and less dense development pattern on Front Street, as advocated by some deputants at the public meetings on the Development Concept. I would also note that the new Community Park location will be linked by linear open spaces to Fort York and to other open spaces within the Lands.

5.3 Revisions to Section 5 "Schools and Community Services and Facilities"

The Board of Education submitted a number of proposed revisions (See the Board's letter in Appendix 3) I have incorporated some of these suggestions into the revised draft Part II, as outlined in Appendix 4. In terms of the Board's proposed revised Section 5.5(a), the revised Community Park location discussed above will allow a school located in the park to be 500 metres from Toronto Refiners and Smelters. In terms of the Board's proposed Section 5.5(b), there is no location in the Railway Lands which is 190 metres from both the rail corridor and the Gardiner Expressway.

5.4 Revisions to Sections 6, 7 and 11 Respecting Heritage Matters

The draft letter from the Ministry of Citizenship and Culture contained in Appendix 3 of this report recommends revisions to the Part II Plan in order to incorporate policy statements related to heritage matters. My staff have discussed these proposed revisions with officials of the Ministry, and I consider that they are consistent with the general heritage objectives of the City's Part I Official Plan and with the policy statements included in Section 7 of the proposed Part II Plan as it appeared in my Proposals report. Although the exact wording of some of the Ministry's proposed statements has, in some instances, been slightly modified, I have incorporated his suggestions in the revised version of the Part II Plan included in Appendix 1. The specific revisions, which affect Sections 6, 7 and 11 of the proposed Part II, are outlined in Appendix 4 of this report.

5.5 Revisions to Section 9 "Environment"

Three revisions have been made to Section 9. The first is the introduction of a new provision to Section 9.1. (See Appendix 1 for exact wording.) This new provision is intended to ensure that the Environmental Report for Precinct "A", the Stadium Precinct, takes into account particular environmental concerns associated with the development of a stadium in an urban context.

The second revision is to delete the reference to the City as a potential appellant in Section 9.5. Under Section 35 of The Planning Act, City Council can refuse to enact a bylaw removing the holding symbol from a precinct if, in Council's opinion, the conditions set out in the Part II Plan have not been met. Section 9.5 establishes that one such condition is that the Ministry of the Environment must be satisfied with the Environmental Report and the Environmental Agreement. If this condition is not met, Council must refuse to enact the bylaw removing the holding symbol. However, only the applicant for such a bylaw can refer Council's decision to the Ontario Municipal Board.

The third revision to Section 9 is the addition of a specific policy statement indicating the City's support for the use of district heating and cooling systems in the Railway Lands. Such an amendment was advocated by Alderman Gilbert in his letter attached to my report of June 12, 1985 entitled Railway Lands Part II Proposals and Implementation Strategy. Comments on motions placed by Members of Council.

5.6 Revisions to Section 10, Respecting Density Provisions in the Bathurst-Spadina Neighbourhood

Some concern and confusion was expressed during the public meetings on the Development Concept report and the Proposals report respecting the residential densities proposed for the Bathurst-Spadina Neighbourhood. This situation was in part the result of the fact that the Bathurst-Spadina Neighbourhood was treated more generally than other districts in the Railway Lands in those reports.

For example, the version of the Part II Plan attached to the Proposals report placed a blanket Medium Density Mixed Commercial-Residential Designation, with a maximum .75 non-residential density, over the entire Bathurst-Spadina area. Even though provisions in the draft Plan were intended to make it clear that the Zoning By-law would apply more specific densities, taking into account certain critical site planning concerns, this strategy was evidently not completely understood. Subsequent to the release of the Proposals report, detailed studies have been carried out on the Bathurst-Spadina area, in consultation with the City Housing Department and CN Real Estate, and more detailed land use designations have been developed, resulting in revisions to the maximum residential and non-residential densities applicable to portions of the Bathurst-Spadina Neighbourhood.

These revisions include the creation of three separate districts, with separate density provisions. The highest densities are permitted in Area C, which includes parcels fronting on Bathurst Street, where higher densities are more appropriate. The densities are not so high, however, that they will generate buildings which will adversely affect the setting of Fort York. In addition, this relationship can be dealt with in the submissions required in an application to remove the holding symbol from this area, particularly the Concept Plan described in Sections 11.8(a) and (b) of the proposed Part II.

The lowest densities are proposed for Area A, which backs onto the Gardiner Expressway, and could be an appropriate location for buffer buildings. In that case, parking would likely be provided above grade so that the heights of the buildings would be greater than the proposed maximum density would normally suggest. Other strategies are being explored for this area, however, which could result in a site plan with a north-south as well as an east-west axis.

The new density proposed for Area B is between that proposed for Areas A and C, and will allow for a variety of building forms, including some higher elements, and local retail and service uses along The Esplanade West frontage.

I would also note that no non-residential denisty is permitted in Area A by the recommended revisions, and the maximum non-residential densities in Areas B and C (.25 and .5, respectively) are less than the .75 maximum set out in the earlier version of the proposed Part II. The aggregate non-residential development potential resulting from the revised densities is approximately 200,000 square feet. The resulting number of residential units is approximately 2,300.

The revised Part II densities correspond exactly to the densities established for these areas in the draft Zoning Bylaw for the Railway Lands.

In accordance with the recommendation of the Commissioner of Housing (see his letter of June 4 in Appendix 4 of my June 12, 1985 report Railway Lands Part II Proposals and Implementation Strategy: Comments on motions placed by Members of Council), Section 10.8.4 of the revised Part II allows for density transfers in the Bathurst-Spadina Neighbourhood. The potential for such transfers is particularly useful in view of the more detailed and less flexible density provisions in the revised Part II.

5.7 Revisions to Section 11 to Require A Public Meeting Prior to Council's Enactment of a Bylaw Removing the Holding Symbol from a Precinct

My June 12, 1985 report Railway Lands Part II Proposals and Implementation Strategy. Comments on Motions Placed by Members of Council includes a discussion of concerns raised with respect to the use of the holding bylaw provisions of Section 35 of the Planning Act. As suggested in that report in response to certain of these concerns, I have introduced into Section 11.10 of the proposed Part II a requirement that a public meeting be held prior to Council's enactment of a bylaw to remove the holding symbol from a Precint. This provision will allow for public review of the application to remove the holding symbol so that members of the public can be satisfied that all of the conditions set out in the Part II Plan have been complied with. These public meetings will also provide periodic opportunities for members of the public to express to Council their views on both the compliance of specific applications with the Part II Plan conditions and on the redevelopment of the Railway Lands generally.

6. PROPOSED ZONING BY-LAW

6.1 General Approach

A proposed Zoning Bylaw implementing the proposed Part II for the Railway Lands is included in Appendix 2 to this report.

The proposed by-law is a free standing by-law, that is, a by-law which is self-contained and applies only to the Railway Lands. Appendix 2 also contains a proposed By-law that exempts the Railway Lands from the provisions of the City's general By-law, By-law 20623. I am recommending this approach for the following reasons:

- it will be easier for the public to understand;
- it will permit the Commissioner of Buildings and Inspections to deal with future building permit applications more expeditiously;
- it will not be adversely affected by general amendments to the general zoning by-law (By-law 20623); and
- it clearly states exactly what is permitted and under what conditions development may take place.

For most precincts in the Railway Lands the proposed Zoning Bylaw utilizes the holding provisions of Section 35 of The Planning Act. The purpose of these provisions and their appropriateness to the Railway Lands are discussed in Section 6.2 below.

The areas where the Section 35 holding provisions are not utilized are:

(a) the area designated Rail Corridor and Union Station Area in the proposed Part II;

(b) the Convention Centre site;

(c) the Royal Bank Computer Centre Site; and

(d) the precinct designated "A" in the proposed Part II, which is the precinct in which the proposed covered stadium is permitted by the proposed Part II Plan.

It is not intended that Union Station be redeveloped, and the proposed Zoning By-law therefore simply allows for the existing building and uses to continue. Consequently, there is no need to apply the holding symbol to the station site. Except for the limited portion designated Front Street General Use Area C in the proposed Part II Plan, the rail corridor, can only be built over by way of a rezoning application pursuant to Section 34 of The Planning Act and in compliance with Section 3.4(b) of the proposed Part II. Consequently there is no need to apply the holding provisions to the rail corridor, except for the small portion designated Front Street General Use Area C.

The Convention Centre site is subject to a site specific bylaw and the Royal Bank Computer Centre site is under development in accordance with agreements pursuant to Section 40 of The Planning Act. Therefore there is no need to apply the holding provisions to these sites.

As set out in Section 11.3 of the proposed Part II, I have also not utilized the Section 35 holding provisions in the precinct in which the proposed Part II permits the development of an urban stadium and multi-purpose facility (Precinct "A"). This approach has been recommended because it appears that the development of the Stadium Precinct, which also includes commercial and residential uses in order to provide an urban context for the Stadium, is more imminent than the development of other precincts in the Railway Lands, and hence will not be subject to the period of delay associated with these other precincts. Instead, the Stadium Precinct has been given an interim "T" designation and must be subject to a rezoning as soon as the site planning and stadium design are sufficiently advanced to permit the drafting of a site-specific bylaw and the requirements of Section 11.12 of the proposed Part II have been met.

I should note in this regard that the City Clerk has received an application for such a rezoning. At this time, however, the application is incomplete and does not fulfill all of the requirements of Section 11.12 of the proposed Part II.

6.1 Section 35 of the Planning Act

Section 35 of the Planning Act permits municipalities to pass bylaws that identify the uses which are ultimately intended for specific lands, but which delay their actual development until some later time when certain conditions have been met. By use of a holding symbol (h) preceding a zoning category, a municipality can state its intentions with respect to certain lands, but delay the realization of these intentions to an appropriate time in the future. The conditions which must be met before the holding symbol can be removed by a bylaw enacted pursuant to Section 35 for specific precincts in the Railway Lands are set out in Section 11 of the draft Part II Plan (See Appendix 1 to this report).

Previous reports concerning the development of the Railway Lands have discussed the reasons why I am recommending the holding bylaw. In addition, these reasons are set out in Section 11.1 of the draft Part II.

6.3 Zoning Provisions

6.3.1 Overview

The Railway Lands are now zoned either C3V3 or C3V4. These designations generally permit railway uses and a variety of industrial, manufacturing and commercial uses up to a maximum density of 7 and 12 times the area of the lot, respectively. However, no office uses are permitted as the result of interim zoning amendments enacted in the context of the Central Area Bylaw. The site of the Convention Centre is zoned CR L4.5 U480, and is governed by the provisions of site specific By-law 702-81.

The Part II Plan contemplates that uses in the Railway Lands would be generally similar to those found in the mixed use areas of the downtown, that is commercial-residential zones and industrial-commercial areas. Consequently, except in the cases where a new "T" designation has been applied, the bylaw contains the same zoning designations and provisions which apply in the Central Area generally. These are primarily CR and IC designations, with the relevant specific provisions applying in these zones. In addition, the proposed by-law utilizes the same general format being devloped for the Phase I amendment to the City's comprehensive Zoning By-law, that is uses and provisions applying to a given use district are contained in the same section of the by-law.

6.3.2 Definitions

Section 2 of the proposed by-law contains the definition of terms used in the By-law. The definitions are generally the same as those found in the City's comprehensive Zoning By-law, except that certain modifications have been made to reflect the fact that CR and IC zones are the only ones used extensively in the Railway Lands. There are, for example, no R or C zones and definitions extensively associated with these zones are therefore unnecessary. Given that the proposed by-law is to be free-standing, the definitions section contains all relevant definitions contained in By-law 20623, whether or not they have been approved by the Ontario Municipal Board pursuant to the provisions of the Planning Act.

6.3.3 Districts

Section 3 of the proposed by-law establishes the classes of use districts and residential, commercial, institutional, and industrial density zones to be used in the Railway Lands. This Section also provides an interpretation provision for the district and height maps contained in the appendices to the proposed by-law. The interpretation section is necessary because use districts and height limits are defined in relation to streets whose exact locations have not yet been defined by survey. Precise street dimensions and locations will be established in the relevant precinct plan, or, in the case of the Stadium Precinct, in a site plan bylaw.

6.3.4 General Provisions

Section 4 of the proposed by-law contains general provisions applicable to all zones, including parking and loading provisions. The parking and loading provisions are generally the same as those for the Central Area, except that above grade parking is not included in the calculation of non-residential gross floor area, provided that it is not located closer to an external wall of a building than 10.6 metres. This provision recognizes the constraints imposed by the location of the water table in the Railway Lands, while ensuring that above grade parking is not visible from the street. The parking provisions for IC uses are the same as those provided for in the Central Industrial District.

Section 4 also contains provisions allowing for the density to be calculated off secondary streets and certain open spaces which are to be provided to the City. These provisions are consistent with Section 10.8.1 of the proposed Part II.

6.3.5 Parks (G)

Section 5 of the proposed by-law sets out the uses permitted in G zones. The uses are the same as permitted in other G zones in the City, except that a public museum is permitted in the Central Park. This provision will permit the roundhouse located in the park east of Spadina Avenue to be redeveloped as an interpretative museum, in accordance with Section 7.1 of the proposed Part II. The proposed by-law also permits the CN Tower in the central park and permits the existing uses contained therein.

6.3.6 General Provisions for CR Districts

The proposed by-law does not permit commercial parking lots in a CR district. The deletion of surface parking lots will ensure that the urban design objectives for the lands are achieved and that the lands are not occupied by surface lots prior to their ultimate development. The provision also is consistent with a recommendation adopted at the Council meeting of June 17 and 21.

6.3.6 CR Districts

Section 6 of the proposed by-law sets out the uses permitted in a CR District. The residential uses are the same type of uses permitted in CR districts in the rest of the City, that is, row housing, apartment houses, dwelling units in mixed use buildings, senior citizens housing, single persons housing, nursing homes, residential care facilities, homes for the aged and hostels.

The permitted non-residential uses in the Railway Lands contained in the proposed by-law are also generally consistent with those permitted in other CR districts in the City. The range of non-residential uses permitted include community services and facilities, general institutions, local retail and service shops, general retail and service shops, office uses, workshops and studios, places of amusement and assembly, automobile related uses, hotels and miscellaneous non-residential uses. The proposed by-law also contains the conditions under which certain uses are permitted.

Section 6 of the proposed by-law specifies the maximum non-residential gross floor area, the maximum residential density and the mixing formula constant for the CR districts within the Railway Lands. Section 6 also contains assisted housing bonus provisions, and senior citizens housing provisions which are similar to those found in the City's general Zoning By-law. The general provisions respecting common outdoor space, recreation space, community services and facilities, public walkways and street-related retail and service uses now provided for in By-law 20623 are also provided for in the Railway Lands.

The proposed by-law contains certain exceptions to the general provisions for CR districts as follows:

o permits Union Station with existing non-residential gross floor area and a wide range of non-residential uses;

o permits Metro Toronto Convention Centre as provided in By-law No. 702-81;

o restricts amount of office space in L8 and L9 zones to 7.0 and 8.0 times the area of the lot respectively, in accordance with Sections 10.1.1 and 10.1.2 of the proposed Part II;

- prohibits office space in an L0.5 U600 zone;
- contains specific provisions for a hotel and non-residential uses in a CR L7.8 U480 zone, located south of the rail corridor on the west side of the southerly projection of Simcoe Street.

6.3.7 IC Districts

Section 9 of the proposed by-law contains the uses permitted in an IC district. The range of permitted uses in the IC districts in the Railway Lands is the same as that permitted in other IC districts in the City, and includes retail and service shop uses, office uses, places of amusement and assembly, recreation and social service uses, automobile related uses, manufacturing uses, warehousing, and storage uses. Section 9 also contains the conditions under which the uses are permitted.

Section 7 of the proposed by-law contains the general provisions for IC districts. It specifies the amount of non-residential gross floor area permitted, the density exemption for pedestrian walkways, the additional density available for providing community services and facilities, the restrictions on the amount of commercial density permitted, the requirements for street-related retail and service uses, and the provision of common outdoor space. The City's general By-law No. 20623 does not require common outdoor space, street-related retail and service uses or permit density exemptions for walkways or permit additional density for community services and facilities in IC areas. The proposed Railway Lands by-law contains these provisions in order to ensure high standards of urban design and pedestrian amenity throughout the entirety of the Railway Lands.

6.3.8 T Districts

The draft by-law establishes a T district which is to be the zoning for the rail corridor and Union Station and which permit certain railway and transportation uses. A T designation is also applied to the Stadium Precinct as an interim zoning, pending the enactment of a site-specific bylaw enacted pursuant to Section 11.12 of the proposed Part II.

6.3.9 "h" Districts

The h district is the holding zone as provided for in Section 35 of the Planning Act and the proposed Part II Plan. The uses permitted, which are the interim uses prior to the removal of the "h", are railway uses and related uses as provided for in the T zones, as well as certain public uses.

7. RECOMMENDATIONS

That, provided your Committee has received and acted upon my reports on the Memorandum of Conditions and on the recommendations of Council at its meeting of June 17 and 21, the necessary bills be introduced into Council to give effect to the draft bylaws contained in Appendix 1 and Appendix 2 of this report, and that the same be adopted.

Stephen G. McLauglin
Commissioner

EP/SH/GS/NED/TDB/RG:jp;tc;jc;pw

APPENDIX 1

BILL NO.

DRAFT

No. -85 A BY-LAW

To adopt an amendment to Part I of the
Official Plan for the City of Toronto
respecting the Railway Lands.

(Passed, 1985)

The Council of The Corporation of the City of Toronto enacts as follows:

1) The text and maps annexed hereto as Schedule A are hereby adopted as Amendment No. 333 to the Official Plan for the City of Toronto Planning Area.

2) The Clerk is hereby directed to submit this By-law to the Minister of Municipal Affairs and Housing for Ontario pursuant to the Planning Act.

SCHEDULE A

OFFICIAL PLAN PART II, RAILWAY LANDS

1. INTERPRETATION

1.1 Subject to Section 1.3, for the purposes of this Amendment to the Official Plan for the City of Toronto Planning Area, the Railway Lands are defined as that area within the solid dark line shown on Map A.

1.2 This Amendment is deemed to be Part II of the Official Plan for the Railway Lands.

1.3 The boundaries of the Railway Lands and of the Financial District A and B; South Downtown High Density Mixed Commercial-Residential Areas A, B, C and D; Spadina Sub-Centre High Density Mixed Commercial-Residential Areas A, B, C and D; Spadina Sub-centre Special Mixed Use Areas A, B, C, and D; Front Street General Use Areas A, B and C; Bathurst-Spadina Medium Density Mixed Commercial-Residential Areas A, B and C; Rail Corridor and Union Station Area; and Major Parkland Area within it are approximate. Where the general intent of this Plan is maintained, minor adjustments to such boundaries will not require amendment to this Plan.

1.4 The text and maps of Part I of the Official Plan continue to apply to the Railway Lands, except in cases where the text and map of this amendment are in conflict therewith, in which case the text and maps of this amendment shall apply.

1.5 The following provisions of Part I of this Plan do not apply in the Railway Lands: 1A.10(b); 3A.2(c); 3A.2(e); 3A.2(h); 3A.3(c); 3A.3(f); 3A.3(g); 3A.3(h); 3A.3(i); 3A.3(j); 3A.3(l); 3A.4(e); and 5.23(b).

2. COUNCIL'S MAJOR OBJECTIVES FOR THE RAILWAY LANDS

2.1 It is the policy of Council that the Railway Lands are to be developed as an integral part of the Central Area so that the barrier effects of the road and rail corridors will be minimized and the central City reunited with the Central Waterfront. New development in the Railway Lands should have a mix of uses, and a form, character and environmental quality which will ensure that the area is used by people for a wide variety of purposes throughout each day.

2.2 It is the policy of Council that the redevelopment of the Railway Lands should take full advantage of the opportunities presented by their size and central location to satisfy a broad range of commercial, residential, institutional, cultural, recreational and open space needs, while ensuring effective and efficient transportation services, including inter-City rail and commuter rail services.

2.3 It is the policy of Council that new development in the Railway Lands should be structured by a grid-like public street system which divides the Railway Lands into blocks comparable in area and dimension to blocks elsewhere in the City; which allows for street-oriented development throughout the Railway Lands; which establishes new and existing north-south streets as major connections between the central City and the Central Waterfront, and which establishes a new street, The Esplanade West, as a major and continuous east-west link for pedestrians, vehicles and transit.

2.4 It is the policy of Council to promote co-operative arrangements among the parties involved in the development of the Railway Lands in order to ensure that the development proceeds incrementally in phases which function satisfactorily within the municipal services and transportation systems, which are environmentally sound and which provide satisfactory living and working conditions.

2.5 It is the policy of Council that the provisions of Sections 1A.5 and 1A.8 of Part I of this Plan apply to the entirety of the Railway Lands notwithstanding the fact that a portion of the Railway Lands is located outside the boundary of the Central Core.

3. STRUCTURE, FORM AND PHYSICAL AMENITY OF RAILWAY LANDS DEVELOPMENT

3.1 Council recognizes that the redevelopment of the Railway Lands will provide opportunities both for the achievement of significant new development, and for the extension into the Railway Lands of the form and structure of the existing central City. In order to take advantage of both of these opportunities and to ensure that they remain compatible, Council endorses the following general principles regarding the structure and character of new Railway Lands development:

(a) The underlying structure of new development in the Railway Lands will be a grid-like system of public streets whose major components are shown schematically on Map B.

(b) The form and character of the new development permitted by this Plan and its relationship to the form and character of the central City shall be generally as follows:

(i) The area designated Financial District A and B on Map C is regarded as an appropriate extension of the existing Financial District. New development in this area should be compatible in form, scale, density and function with development permitted in the Financial District north of Front Street.

(ii) South Downtown High Density Mixed Commercial-Residential Areas A, B, C and D are regarded as an extension of the High Density Mixed Commercial Residential Area located in the west downtown and are considered an appropriate location for development at a similar density and scale.

(iii) The area located west of South Downtown High Density Mixed Commercial-Residential Areas A, B and C and designated Major Parkland Area on Map C is to be developed as a major central park which is accessible by streets and other linkages to the downtown, Harbourfront and the rest of the Railway Lands. This central park will be part of an open space system linking the central City and the Waterfront.

(iv) The Spadina Sub-centre shall be regarded as a significant mixed-use area containing a secondary concentration of office space, street-related retail and service uses, high density residential uses, and, to the east, as part of an integrated complex of primarily commercial buildings and public open spaces, a new urban stadium and multi-purpose facility. This stadium will be developed to have, to the extent possible, the function and appearance of a major urban building, linked to the Central City and to the local and regional transit systems by public streets and pedestrian ways and generously proportioned bridges over the rail corridor.

(v) To the west of the Spadina Sub-Centre will be a residential neighbourhood, the Bathurst-Spadina Neighbourhood, which is to be comparable to the St. Lawrence Neighbourhood east of Jarvis Street and to the Bathurst Quay Sub-Area of Harbourfront. The Bathurst-Spadina Neighbourhood will be linked to other residential neighbourhoods to the north by open spaces, bridges over the rail corridor, the extension of Portland Street, and the introduction of a new north-south street extending over the rail corridor between Portland and Bathurst Streets.

(vi) Front Street General Use Areas A, B and C shall be regarded as an area of mixed commercial and compatible industrial uses and parkland, with street-related uses at grade in order to establish a varied and amenable pedestrian environment.

The form and nature of development in this area should help to ensure that development to the south of the rail corridor is perceived as an integral part of the Central Area. Parkland, streets, pedestrian bridges and crossings, and, in General Use Area C, buildings constructed over the rail corridor, should help to ensure that new development south of the rail corridor is visually and physically accessible from the north.

3.2 The pattern of streets and blocks and the alignment and definition of the primary streets shown on Map B are approximate. The specific locations of secondary streets, for which possible locations are shown on Map B, will be established as development proceeds and in a manner which reinforces a grid-like pattern of streets and blocks throughout the Railway Lands. Where the general intent of this Plan is maintained, minor adjustments to the alignment and definition of the primary streets shown on Map B will not require amendment to this Plan.

3.3 It is the policy of Council that an interesting and varied pedestrian environment be developed along public streets and public open spaces and within private developments throughout the Railway Lands. Accordingly,

(a) the provisions of Section 1A.47 (a), (b), (c), and (d), of Part I of this Plan respecting pedestrian walkways shall apply throughout the entirety of the Railway Lands, including both that portion of the Railway Lands which is within the Central Core and that portion which is outside the boundary of the Central Core. In particular, Section 1A.47(b) shall apply to all Mixed Commercial-Residential Areas, all Special Mixed Use Areas, and all General Use Areas within the Railway Lands; and

(b) the provisions of Section 3A.5(e) respecting the relationship of maximum commercial density to street related retail and service uses shall apply to all High Density Mixed-Commercial Residential Areas, all Special Mixed Use Areas, all General Use Areas, lots within the Bathurst-Spadina, Medium Density Mixed Commercial-Residential Area C which fronts on Bathurst Street, and to the Financial District within the Railway Lands.

3.4 It is the policy of Council to seek to ensure that the barrier effect of the rail corridor and the GO storage yards is minimized, and that the opportunities to redevelop for urban purposes lands now used for railway purposes are maximized, to the extent consistent with the provision of effective, safe and efficient rail services. Accordingly:

(a) It is the policy of Council that:

  (i) All mainline rail facilities, including the existing CN High Line freight bypass, should be consolidated within the rail corridor shown on Map B.

  (ii) The GO Transit storage yards, north of the rail corridor between Spadina Avenue and Bathurst Street, should be reconstructed or relocated so that Portland Street can be extended, the new north-south street between Portland and Bathurst Streets and the pedestrian bridges and crossings over the rail corridor between Spadina Avenue and Bathurst Street shown on Map B can be constructed, and the area occupied by these yards can be developed in accordance with Maps C and D.

  (iii) The relocation of the CN High Line freight bypass in accordance with paragraph (i) above, and the reconstruction of the Spadina Avenue bridge and its supporting elements should be carried out in a manner which permits development over the rail corridor fronting on the Spadina Avenue bridge, as shown on Map C, to take place.

(b) Notwithstanding the provisions of Section 10.7.3, Council will encourage the decking of the rail corridor in other locations, and may pass by-laws on the application therefore to permit development over the rail corridor for appropriate uses at densities up to those permitted in immediately adjacent land use districts.

(c) Notwithstanding the provisions of Section 10.7.3, Council may pass by-laws to permit street-related retail and service uses along streets and pedestrian linkages where they pass under the rail corridor.

3.5 It is the policy of Council that in considering applications submitted pursuant to The Planning Act, regard shall be had for the following objectives:

(a) Sidewalks within the public street allowances should reflect their importance in the overall pattern of public open spaces, and their design should incorporate appropriate paving, street tree planting, pedestrian scale lighting, and street furnishings. Where the street pattern is interrupted by barriers, the sidewalks should be directly linked to pedestrian bridges and tunnels across or under the barriers, as shown on Map D. Where there are long continuous blocks, sidewalks should be directly linked to mid-block pedestrian routes.

(b) Buildings should be sited in a manner which clearly defines streets, and the edges of open spaces should be defined by buildings and/or streets.

(c) The location, form and pattern of buildings should permit reasonable sun penetration to parks, publicly accessible open spaces and sidewalks, and should provide protection from adverse wind conditions in these areas.

(d) The overall pattern of development should result in usable open spaces, both within the Railway Lands and at the boundaries of the Lands. Where open spaces are framed by buildings, these buildings should have a scale appropriate to the size of the open space.

(e) The location and form of buildings should be defined to take into account the potential for creating and enhancing pedestrian views and sight lines consistent with the pattern of streets and blocks shown on Map B and the open space system shown on Map D.

(f) Special attention should be paid to the relationship between the ground floor level of buildings and the level of any adjoining sidewalk or open space by encouraging:

(i) the provision of public uses which are directly accessible from grade level;

(ii) the provision of weather protected pedestrian ways along building edges which are appropriately linked to interior public pedestrian routes;

(iii) the inclusion of building elements which provide a human scale at grade level;

(iv) the location of principal pedestrian entrances to buildings in a manner which reinforces interior and exterior pedestrian routes;

(v) the location of vehicular service entrances to buildings in order to minimize pedestrian/vehicular conflicts and ensure vehicular safety; and

(vi) the location of parking facilities in a manner which minimizes the visual impact of this use on public spaces.

3.6 It is the policy of Council to use its available powers to ensure that parking provided in association with development in the Railway Lands shall be constructed either below grade or, if above grade, in locations where its impact on streets, parks, open spaces, pedestrian walkways, and other land uses is minimized.

4. HOUSING GOALS

4.1 It is the objective of Council that a substantial amount of housing be developed in the Railway Lands both in order to assist in meeting Council's housing goals and in order to ensure that new Railway Lands development has a mixed-use character. Accordingly, it is the policy of Council:

(a) that a substantial amount of housing available to a wide range of households, ages and incomes in a variety of housing types and forms be developed in the Railway Lands; and

(b) that notwithstanding Section 10.8.4 of this Plan, each precinct south of the rail corridor, other than the precinct which includes the major central park and is primarily designated Major Parkland Area on Map C, and any precinct which is exclusively designated Financial District on Map C, include development potential which may be used only for residential uses.

4.2 Housing development will be encouraged by a variety of producer groups and agencies. Council will pursue an active role in promoting the planning and development of rental housing suitable for low-to-moderate income households.

4.3 It is the objective of Council that at least 25% of the total number of dwelling units in the Bathurst-Spadina Medium Density Mixed Commercial-Residential Areas A, B and C be provided as housing suitable for families with children.

4.4 In order to assist in the realization of Council's housing objectives, Council will secure the provision to the City or the City Non-Profit Housing Corporation of:

(a) approximately 2.6 acres of land for housing purposes in South Downtown High Density Mixed Commercial-Residential Area A; and

(b) land, located east and/or west of Spadina Avenue, for housing purposes sufficient to accommodate 1100 dwelling units at an average density of 100 units per acre in the portion of the Railway Lands west of John Street.

4.5 It is the objective of Council that at least 50% of the dwelling units suitable for families with children referred to in Section 4.3 be provided on lands referred to in Section 4.4(b) located west of Spadina Avenue.

4.6 It is Council's intention that the lands referred to in Section 4.4 be developed for assisted housing purposes and/or for housing suitable for low-to-moderate income households. Accordingly, Council will encourage the provision and implementation of appropriate programs by the City, Metropolitan, Provincial and/or Federal governments.

5. SCHOOLS AND COMMUNITY SERVICES AND FACILITIES

5.1 Council will seek to ensure the provision of a full range of appropriate community services and facilities necessary to serve the resident and working population within the Railway Lands, including primary and secondary schools, day care, primary health care, library, social welfare, fire and police services and facilities.

Accordingly, it is the policy of Council to seek the financial and other assistance of the appropriate agencies and other levels of government in the construction and operation of such community services and facilities.

5.2 It is the policy of Council that those community services and facilities in the Railway Lands which serve primarily the residential population of the Railway Lands should be within ready walking distance of areas containing housing suitable for families with children. In addition, Council will encourage the provision of work place daycare facilities where appropriate.

5.3 It is the policy of Council to encourage the shared use of schools, if any, and parkland and community facilities in the Railway Lands.

5.4 It is the policy of Council to consult, in accordance with Section 11.17(c) of this Plan, with the provincial Ministry of Education, the Toronto Board of Education and the Metropolitan Separate School Board in order to ensure that schools for elementary and secondary school students will be provided as necessary within the Railway Lands.

5.5 It is the objective of Council that any school or schools that may be required in the Railway Lands and any community facilities developed jointly with the school or schools be located within or adjacent to the Major Parkland Area which is located east of the extension of Portland Street and north of The Esplanade West, provided that:

(a) the location of these uses in this Major Parkland Area is consistent with the safeguards and measures set out in the relevant Environmental Report or Environmental Reports, and,

(b) if these uses are located within this Major Parkland Area, they are developed and operated in a manner which ensures that at least 5 acres of the Major Parkland Area will be laid out as a park to be used jointly by the public and the school or schools and community facilities.

5.6 It is the objective of Council that safe and convenient pedestrian connections, suitable for use by school age children, be established between the Bathurst-Spadina Neighbourhood, Harbourfront, Fort York and other residential neighbourhoods in the vicinity of Front Street, Bathurst Street and Spadina Avenue.

6. PARKS, OPEN SPACE, AND PEDESTRIAN SYSTEMS

6.1 It is the policy of Council to secure the provision within the Railway Lands of not less than 30 acres of land, exclusive of areas within the rights-of-way of public streets, as City parks, as shown on Map D. It is the policy of Council that these parks, and other publicly accessible open spaces will be developed in a manner which will help to integrate the Railway Lands, the Central Area and the Central Waterfront, and will provide outdoor active and passive recreational opportunities for workers, residents and visitors to the Railway Lands.

6.2 The delineation of Major Parkland Areas, on Map C and of the parks and publicly accessible open spaces on Map D are approximate. Where the general intent of this Plan, including the provision of a minimum of 30 acres of parks in accordance with Section 6.1 is maintained, minor adjustments to such boundaries will not require amendment to this Plan.

6.3 Council will seek the provision of approximately 17 acres of land to be used as a major central park in the area generally between Simcoe Street and John Street. This park will be easily accessible from the downtown and Harbourfront, and will accommodate the renovation and reuse of the CP Roundhouse, if feasible, as a railway heritage and/or transportation museum, or some other civic facility. This park may also include components relating to the archeological or historical qualities of the park site, including landscaping, physical remains, displays, interpretative materials, and commemorative site planning, including the ghosting of objects, boundaries and paths formerly existing on the site. The western edge of this central park should be appropriately defined by the stadium building to be developed as part of the commercial complex in the eastern portion of the Spadina Sub-centre.

6.4 It is the policy of Council to secure a major community park in the Bathurst-Spadina Neighbourhood located east of the extension of Portland Street and north of The Esplanade West and designated Major Open Space on Map C. This park should be designed to include recreational uses which are compatible with school and community facility uses:

This community park shall be easily accessible from the north by crossings over the rail corridor.

6.5 It is the policy of Council that linear parks be developed to provide safe and convenient access between parks and other public open spaces. In particular, Council will secure the provision of two east-west linear parks, in addition to the boulevard within the right-of-way of The Esplanade West, as shown on Map D, extending from the west limit of the Financial District A and B to the parkland to be located east of Portland Street, from which Council will seek to secure links to parkland outside the Railway Lands, including Fort York, Exhibition Place and Ontario Place.

6.6 It is the policy of Council to encourage improvement of the setting and accessiblity of the parkland surrounding Fort York, and to encourage the linking of Fort York with the public open space system within the Railway Lands.

6.7 In addition to the areas designated as lands to be conveyed or leased to the City for parks purposes on Map D, it is the policy of Council to use its available powers to secure the provision of other publicly accessible open spaces in conjunction with the development of buildings within the Railway Lands, including:

(a) Union Plaza, to be located south of Union Station, providing a focal point for pedestrian links from the Financial District and the Downtown through Union Station, through the Railway Lands to the Central Bayfront and Harbourfront; and

(b) a major public open space to be located in the Spadina Sub-centre as an entry plaza for the west side of the stadium building.

6.8 It is the policy of Council that no additional parkland beyond that referred to in Section 6.1 and shown on Map D shall be required in the Railway Lands pursuant to the provisions of Section 41 of The Planning Act, 1983.

7. HERITAGE

7.1 It is the policy of Council that aspects of the history of the railways be incorporated into the open space system of the

Railway Lands by restoring and integrating, where feasible, significant railway heritage structures, including the CP Roundhouse, with rail access to the main line tracks, the adjacent coal/sand loader and water tower, the John Street signal tower and Cabin D.

7.2 It is the policy of Council that portions of the High Line berm be retained as a significant component of the open space system of the Railway Lands.

7.3 It is the policy of Council that the City Delivery Building at 40 Bay Street, and/or those portions of that building which are of historic or architectural merit, be retained.

7.4 Council recognizes the architectural, contextual and historical significance of Union Station, at 71 Front Street West. Accordingly, it is the policy of Council that this building be retained and continue to be used as a major transportation terminal, and that new entrances from the south be created which respect the unique form and character of the building.

7.5 Council recognizes the historical significance of the John Street Pumping Station. Accordingly, it is the policy of Council that this facility, including structure and machinery, be fully recorded by written commentary, photographs and plans and drawings, prior to its closure in order to allow for the development of the urban stadium and multi-purpose facility to be located in the Spadina Sub-centre.

7.6 It is the policy that archaeological resources be investigated, documented and if feasible conserved in accordance with a strategy developed by the City of Toronto and the Toronto Historical Board. To this end, an archaeological strategy document, utilizing archival research on historical activities, will be developed by the City of Toronto in order to provide a systematic framework for assessment of the archaeological remains in the Railway Lands. The strategy document will outline appropriate methods for testing, identification, documentation, recovery/mitigation and educational methods, for various classes of remains. More detailed strategies may then be required for precincts as part of a Precinct Plan.

8. TRANSPORTATION AND CIRCULATION

8.1 Context

8.1.1 It is the policy of Council that the streets and transit services providing access to and circulation within the Railway Lands will be developed as an integral extension of the Central Area street network and transit system.

8.2 Streets

8.2.1 It is the policy of Council that the rights-of-way of streets in the Railway Lands should satisfactorily accommodate traffic, transit and pedestrians.

8.2.2 It is the policy of Council that the primary street system within the Railway Lands shall be generally in accordance with Map B.

8.2.3 It is the policy of Council to establish a new major east-west street through the Railway Lands, The Esplanade West, which will:

(a) provide a continuous east-west link for vehicles, pedestrians and transit;

(b) provide street frontage and vehicular and pedestrian access for new development, including, west of the extension of Simcoe Street, vehicular and pedestrian access required to serve the urban stadium and multi-purpose facility to be located in the eastern portion of the Spadina Sub-centre;

(c) help to define viable building parcels; and

(d) provide a focus for new development at its intersection with major north-south streets.

8.2.4 It is the policy of Council that new and existing streets in the Railway Lands should:

(a) create a grid-like pattern of streets and blocks which establishes a strong continuity with the street and block pattern of the rest of the Central Area.

(b) reinforce a strong public identity for The Esplanade West;

(c) intersect in a manner which facilitates the creation of a strong sense of public identity for new development;

(d) facilitate pedestrian movement within the Railway Lands; and

(e) be successfully integrated into the local and regional road systems.

8.2.5 It is the policy of Council that Portland Street and Simcoe Street be extended for vehicular and pedestrian use through the Railway Lands, as shown on Map B. The portion of the Simcoe Street extension south of the rail corridor will, among other things, constitute a desirable component of the street system serving the urban stadium and multi-purpose facility to be located in the eastern portion of the Spadina Sub-centre.

8.2.6 It is the poliċy of Council that a new north-south street be constructed for vehicular and pedestrian use between Bathurst Street and the extension of Portland Street which will help to link the areas north and south of the rail corridor, and define viable building parcels south of the rail corridor.

8.2.7 It is the policy of Council that Peter Street be extended for vehicular and pedestrian use over the rail corridor. This extension will, among other things, constitute an essential component of the street system providing vehicular and pedestrian access to the urban stadium and multi-purpose facility to be located in the eastern portion of the Spadina Sub-centre.

8.2.8 It is the policy of Council that the Spadina Avenue Bridge between Front Street and Lakeshore Boulevard West be rebuilt at the same width as the Spadina Avenue right-of-way north of Front Street in order to:

(a) accommodate a public transit service operating on its own right-of-way, when required;

(b) accommodate vehicular traffic;

(c) encourage the redevelopment of Spadina Avenue as a prominent urban street with generous sidewalks and a lively and interesting pedestrian environment;

(d) strengthen the links between the central City and Harbourfront, and

(e) provide vehicular, pedestrian and transit access to the urban stadium and multi-purpose facility to be located in the eastern portion of the Spadina Sub-centre.

8.2.9 It is the policy of Council that John Street be improved for vehicular and pedestrian use between The Esplanade West and Lakeshore Boulevard West, and that, to the north of The Esplanade West, it be extended over the rail corridor and improved forpedestrian use only, with dimensions sufficiently generous to provide a high level of pedestrian access to the new urban stadium and multi-purpose faciltiy to be located in the eastern portion of the Spadina Sub-centre and to the transit facilities serving the facility. John Street south of the Esplanade West will, among other things, constitute an essential component of the street system providing vehicular and pedestrian access to the urban stadium and multi-purpose facility to be located in the eastern portion of the Spadina Sub-centre.

8.2.10 It is the policy of Council that York Street be widened south of Front street, where feasible, provided that pedestrian movements continue to be accommodated.

8.3 Pedestrian Circulation

8.3.1 In addition to the pedestrian circulation system provided by sidewalks within the rights-of-way of public streets, Council shall seek to secure appropriate through-block connections and pedestrian links over and under the rail corridor and over Lakeshore Boulevard, generally as shown on Map D.

8.3.2 It is the policy of Council that the following pedestrian linkages and bridges are, among other things, essential components of the pedestrian and transit access systems serving the urban stadium and multi-purpose facility to be located in the eastern portion of the Spadina Sub-centre:

(i) the John Street/pedestrian bridge;

(ii) the Simcoe Street pedestrian bridge;

(iii) the pedestrian linkage south of the rail corridor connecting the Major Parkland Area to the Simcoe Street bridge; and

(iv) the sidewalks of the Peter Street extension, the Esplanade West, between the Simcoe Street extension and Spadina Avenue, and John Street, south of The Esplanade West. Other pedestrian bridges and linkages will also provide pedestrian access to the stadium and to the transit system serving the stadium, particularly the east-west linkage between the John Street pedestrian bridge and Union Station.

8.4 Public Transit

8.4.1 Council recognizes the critical importance of public transit in providing adequate access to new Railway Lands development. Accordingly, it is the policy of Council to ensure that new Railway Lands development is serviced by existing and new transit facilities in a manner which makes public transit an attractive and efficient alternative to the private automobile. Specifically, it is the policy of Council that:

(a) regional commuter transit services continue to be incorporated in the rail corridor;

(b) a Spadina Avenue streetcar system be established which is linked to the Bloor-Danforth and Yonge-University subway system;

(c) an additional inter-modal connection between commuter transit services and the local transit system be developed, if practical, in the Spadina Sub-Centre;

(d) the parking serving the urban stadium and multi-purpose facility and the pedestrian linkages between the facility and the local and regional transit systems be provided in a manner which is consistent with Council's objective that, to the extent possible, access to the stadium be provided by public transit rather than by the private automobile;

(e) commercial development in the Financial District A and B and South Downtown High Density Mixed Commercial-Residential Areas A, B, C, and D be served primarily by public transit, and that linkages be established through Union Station and elsewhere where feasible to provide connections to the Bloor-Danforth and Yonge-University subway line, GO Transit commuter services and any other major transit route as may be developed; and

(f) transit facilities serving the Railway Lands be successfully integrated into the local and regional transit systems.

8.4.2 It is the policy of Council to exercise its available powers to ensure the protection within the Railway Lands of a rapid transit corridor which complies with the requirements of Section 8.4.3 of this Plan.

8.4.3 It is the policy of Council that the new rapid transit corridor referred to in Section 8.4.2 of this Plan should, if required, be located immediately south of the rail corridor at or below the approximate grade of the existing rail lines, having regard for the other objectives of this Plan for the Railway Lands.

8.4.4 In the event that it is determined that the rapid transit corridor referred to in Sections 8.4.2 and 8.4.3 is not required, Sections 8.4.2 and 8.4.3 will lapse without amendment to this Plan.

8.5 Railway Uses

8.5.1 It is the policy of Council that the rail corridor should remain in its present location on the north side of the Railway Lands, that Union Station should continue to function as a major transportation terminal, and that all rail facilities including the High Line freight by-pass be contained within the width of the rail corridor shown on Map B.

8.5.2 It is the policy of Council that satisfactory, efficient and safe inter-city passenger and freight services, as described in Section 8.5.1, be ensured.

9. ENVIRONMENT

9.1 Council will use its available powers and will seek the cooperation of other levels of government, land owners and developers involved in the development of the Railway Lands to ensure that satisfactory environmental conditions consistent with those elsewhere in the Central Area are established for people working and living within and adjacent to the Railway Lands. Accordingly, in considering the development of the Railway Lands, Council will require the preparation of an Environmental Report respecting each precinct for submission pursuant to Sections 11.9 and 11.12(o) of this Plan. An Environmental Report shall contain an assessment of the appropriate means of:

(a) reducing, where appropriate, the noise and vibrational impact of the railway uses, the Gardiner Expressway, Lake Shore Boulevard and other arterial roads within and adjacent to the Railway Lands, by, among other things, the provision of buffers, including earthen berms, acoustical walls and buildings and structures, adjacent to noise and vibration sources as appropriate for residential, non-residential and open space uses;

(b) ensuring satisfactory air quality and climatic conditions, including satisfactory wind conditions at grade;

(c) ensuring satisfactory soil conditions, including any remedial steps, where necessary, with respect to contaminated soil and methane gas;

(d) providing for effective storm water management so that new development in the Railway Lands does not unacceptably affect water quality in Toronto Bay;

(e) minimizing, to the extent possible, risks of injury or damage from accidents on the rail and road corridors; and

(f) ensuring that the practices and procedures followed during construction of development in the Railway Lands are environmentally sound.

In addition to those matters set out in paragraphs (a)-(f) above the Environmental Report submitted pursuant to Section 11.12(o) for the precinct designated A on Map E of this Plan shall also contain an assessment of the appropriate means of ensuring that the urban stadium and multi-purpose facility permitted in that precinct by Section 10.4.1 of this Plan will be developed in a manner which is environmentally compatible with surrounding land uses and open spaces, with particular attention to the light, noise and traffic operated by the urban stadium and multi-purpose facility.

9.2 The Environmental Report referred to in Section 9.1 will be prepared by the proponents in consultation with the City, the Local Board of Health, and the Ministry of the Environment. The safeguards and measures set out in the Environmental Report shall address the Precinct Plan for the precinct and will be secured through an Environmental Agreement, submitted pursuant to Section 11.8 of this Plan.

For the purposes of this Plan an Environmental Agreement means an agreement containing provisions sufficient to ensure that the safeguards and measures set out in the Environmental Report are adequately secured.

9.3 The City and the Ministry of the Environment shall identify the various guidelines, standards, and requirements which at the time generally affect the development of lands south of Queen Street in the City of Toronto in relation to the environmental matters set out in Section 9.1 of this Plan.

9.4 It is Council's intention to consult with the Ministry of the Environment and the Local Board of Health respecting relevant environmental matters referred to in Sections 9.1-9.2 and to ensure that all Environmental Reports, and Environmental Agreements, are satisfactory to the City and the Ministry of the Environment.

9.5 In the event that the City or the Ministry of the Environment has indicated that any of the documents referred to in Section 9.4 are unsatisfactory to it, and the applicant wishes to have the question of whether an amendment to the zoning by-law should be made determined by the Ontario Municipal Board, the City shall ensure that the Minister of the Environment and the Regional Director of the Ministry of the Environment are given notice of the Ontario Municipal Board Hearing, so that the Ministry of the Environment may, if it wishes, become a party to the Ontario Municipal Board Hearing and present its views on whether or not the re-zoning should proceed without amendment to the documents in question or only if they are further amended.

9.6 Council will seek to ensure by, among other things, the use of its powers under Section 40 of The Planning Act, that development in the Railway Lands is energy efficient. To this end, it is the policy of Council to work with the Toronto District Heating Corporation to encourage the development of district heating and cooling systems within the Railway Lands.

10. LAND USE DISTRICTS

10.1 The Financial District A and B

The area designated Financial District A and B on Map C of this Plan shall be regarded as an extension of the existing Financial District as defined in Part I of this Plan, and as an appropriate location for the primary concentration of office uses within the Railway Lands.

10.1.1 In Financial District A, it is the policy of Council to pass by-laws, subject to Section 11.2 of this Plan, to permit:

(a) subject to Section 3A.4(d) of Part I of this Plan, buildings containing only residential uses, up to a maximum residential density of 750 units per hectare;

(b) buildings containing only non-residential uses, up to a maximum non-residential density of 9.0 of which the non-residential density used for offices, government offices and business offices shall not exceed 8.0; or

(c) buildings containing a mix of residential, and non-residential uses, up to the non-residential and residential densities determined by the following mixing formula:

$$\text{Non-residential Density} + \frac{\text{Residential Density}}{100} = 12.0,$$

provided that the non-residential density does not exceed 9.0, of which the non-residential density used for offices, government offices and business offices does not exceed 8.0, and the residential density does not exceed 750 units per hectare.

10.1.2 In the Financial District B, it is the policy of Council to pass by-laws, subject to Section 11.2 of this Plan, to permit:

(a) subject to Section 3A.4(d) of Part I of this Plan, buildings containing only residential uses, up to a maximum residential density of 750 units per hectare;

(b) buildings containing only non-residential uses, up to a maximum non-residential density of 8.0 of which the non-residential density used for offices, government offices and business offices shall not exceed 7.0; or

(c) buildings containing a mix of residential, and non-residential uses, up to the non-residential and residential densities determined by the following mixing formula:

$$\text{Non-residential Density} + \frac{\text{Residential Density}}{100} = 12.0,$$

provided that the non-residential density does not exceed 8.0, of which the non-residential density used for offices, government offices and business offices does not exceed 7.0, and the residential density does not exceed 750 units per hectare.

10.1.3 Notwithstanding the provisions of Section 10.1.1 and 10.1.2, Council may pass by-laws in Financial District A and B to permit:

(a) hotels having a maximum gross floor area of 12 times the area of the lot; or

(b) buildings containing hotel uses and other non-residential and/or residential uses at densities within the limits of the mixing formulas set out in Sections 10.1.1 and 10.1.2, provided that, in Financial District A, the gross floor area of non-residential uses other than hotel uses does not exceed 9 times the area of the lot of which not more than 8 times the area of the lot may be used for offices, government offices and business offices, and the residential density does not exceed 750 units per hectare; and that in Financial District B, the gross floor area of non-residential uses other than hotel uses does not exceed 8 times the area of the lot, of which not more than 7 times the area of the lot may be used for offices, government offices and business offices, and the residential density does not exceed 750 units per hectare.

10.1.4 Notwithstanding the provisions of Section 10.1.1 and 10.1.2, but subject to Section 3A.5(a) of Part I of this Plan, on the application therefor by the owner of a lot, Council may pass by-laws in Financial District A and B to permit buildings containing special housing units, alone or in combination with other uses, up to a maximum special residential density of 1,000 units per hectare.

10.1.5 Notwithstanding Section 1A.46 of Part I of this Plan, it is the objective of Council that Station Street be included in a comprehensive redevelopment of the land designated Financial District B which is located north of the Rail Corridor and west of Union Station within the Railway Lands and/or the CN/CP Telecommunications Building at 151 Front Street West. In the context of such a comprehensive redevelopment, it is Council's intention, suject to the requirements of The Municipal Act, that the open and closed portions of Station Street within this area be conveyed to the developer, provided that the redevelopment provides a high quality, weather-protected east-west pedestrian connection linking Union Station and Simcoe Street approximately equivalent in area and dimensions to the travelled portion of Station Street right of way.

10.2 South Downtown High Density Mixed Commercial-Residential Areas A, B, C and D.

10.2.1 South Downtown High Density Mixed Commercial Residential Areas A, B and C shall contain commercial, institutional and residential uses permitted in other High Density Mixed Commercial Residential Areas, in accordance with the following Council objectives:

(a) the development of a substantial number of dwelling units suitable for low-to-moderate income households in order to facilitate the realization of Council's housing objectives as set out in Section 4 of this Plan;

(b) the development, in proximity to the Convention Centre at 255 Front Street West and other major tourist attractions, of a hotel which will contribute to the vitality of the area and encourage the use of the adjacent Major Parkland Area by a wide variety of people throughout each day; and

(c) the development of a mixture of commercial, institutional and/or residential uses in a location which will ensure that the concentration of commercial uses in the Financial District is appropriately linked by other commercial uses to the Major Parkland Area west of Simcoe Street.

10.2.2 In South Downtown High Density Mixed Commercial-Residential Area A it is the policy of Council to pass by-laws, subject to Section 11.2 of this Plan, to permit:

(a) buildings containing only residential uses, up to a maximum residential density of 600 units per hectare;

(b) buildings containing only non-residential uses up to a maximum non-residential density of 0.5, none of which may be used for offices, government offices and business offices.

(c) buildings containing a mix of residential, and non-residential uses, up to the non-residential and residential densities determined by the following mixing formula:

$$\text{Non-Residential Density} + \frac{\text{Residential Density}}{100} = 6.5,$$

provided that the non-residential density does not include any gross floor area used for offices, government offices or business offices, and does not exceed 0.5, and, that the residential density does not exceed 600 units per hectare.

10.2.3 In South Downtown High Density Mixed Commercial-Residential Area B, it is the policy of Council to pass by-laws, subject to Section 11.2 of this Plan, to permit:

(a) buildings containing only residential uses, up to a maximum residential density of 480 units per hectare;

(b) buildings containing only non-residential uses, up to a maximum non-residential density of 7.8, of which the non-residential density used for offices, government offices and business offices does not exceed 5.7; or

(c) buildings containing a mix of residential, and non-residential uses, up to the non-residential and residential densities determined by the following mixing formula:

$$\text{Non-residentiall Density} + \frac{\text{Residential Density}}{100} = 7.8,$$

provided that the non-residential density used for office, government offices and business offices does not exceed 5.7, and the residential density does not exceed 480 units per hectare.

10.2.4 In South Downtown High Density Mixed Commercial-Residential Area C, it is the policy of Council to pass by-laws, subject to Section 11.2 of this Plan, to permit:

(a) buildings containing only residential uses, up to a maximum residential density of 480 units per hectare;

(b) buildings containing only hotel and other non-residential uses up to a maximum non-residential density of 7.8 times the area of the lot of which 7.5 times the area of the lot may be used for hotel uses and 1 times the area of the lot may be used for non-residential uses other than hotel uses, but none of which may be used for offices, government offices and business offices; or

(c) buildings containing a mix of residential, hotel and other non-residential uses up to the non-residential and residential densities determined by the following mixing formula:

$$\text{Non-residential density} + \frac{\text{Residential Density}}{100} = 7.8,$$

provided that the non-residential density used for hotel uses does not exceed 7.5 times the area of the lot and the non-residential density used for non-residential uses other than hotel uses does not exceed 1 times the area of the lot and does not include non-residential density used for offices, government offices and business offices, and the residential density does not exceed 480 units per hectare.

10.2.5 South Downtown High Density Mixed Commercial-Residential Area D is subject to the provisions of Section 3A.3 of Part I of this Plan.

10.2.6 Notwithstanding the provisions of Sections 10.2.3 and 10.2.4, Council may pass by-laws in South Downtown High Density Mixed Commercial-Residential Areas B and C to permit buildings containing residential uses, alone or in combination with non-residential uses, at densities up to 25 per cent greater than the residential densities permitted by Sections 10.2.3 and 10.2.4, provided that the owner of such building agrees with the City to provide such additional residential density for the purpose of any assisted housing program.

10.2.7 Notwithstanding the provisions of Sections 10.2.2, 10.2.3 and 10.2.4, but subject to Section 3A.5(a) of Part I of this Plan, Council may, on the application therefor by the owner of a lot, pass by-laws in South Downtown High Density Mixed Commercial Residential Areas A, B and C to permit buildings containing special housing units, alone or in combination with other uses, up to a maximum special residential density of 1,000 units per hectare.

10.3 Spadina Sub-Centre

10.3.1 The Spadina Sub-centre is comprised of the Spadina Sub-centre High Density Mixed Commercial Residential Areas A, B, C and D, and Spadina Sub-centre Special Mixed Use Areas A, B, C, and D. It shall be regarded as an appropriate location for a significant concentration of commercial, institutional and residential uses, including a secondary concentration of office space and a new urban stadium and multi-purpose facility to be developed as an integral part of a primarily commercial and retail complex in the eastern portion of the sub-centre.

10.3.2 It is the objective of Council that the intersection of Spadina Avenue and The Esplanade West become a focus for the Spadina Sub-Centre within the Railway Lands, and that its development provide for the integration of proposed transit lines with high standards of urban design and pedestrian amenity.

10.3.3 (a) Spadina Sub-centre High Density Mixed Commercial-Residential Area A shall be regarded as an appropriate location for a mixture of commercial, institutional and retail uses. Residential uses which are designed and located so as to prevent conflicts with the stadium use in Spadina Sub-centre Special Mixed Use Area A and adjacent non-residential uses are considered appropriate in the western portion of this area.

(b) In Spadina Sub-Centre High Density Mixed-Commercial-Residential Area A, it is the policy of Council to pass by-laws, subject to Section 11.2 of this Plan, to permit:

(i) subject to Section 10.3.3(a) of this Plan, buildings containing only residential uses up to a maximum residential density of 200 units per hectare;

(ii) buildings containing only non-residential uses up to a maximum non-residential density of 3.5; or

(iii) subject to Section 10.3.3(a) of this plan, buildings containing a mix of residential and non-residential uses up to the non-residential and residential densities determined by the following mixing formula:

$$\text{Non-residential Density} + \frac{\text{Residential Density}}{100} = 5.5,$$

provided that the non-residential density does not exceed 3.5 and the residential density does not exceed 200 units per hectare.

10.3.4 (a) Spadina Sub-Centre High Density Mixed Commercial-Residential Areas B, C and D shall be regarded as appropriate locations for a mixture of residential, commercial and institutional uses, with a strong street-related retail and service use component.

(b) In Spadina Sub-Centre High Density Mixed Commercial-Residential Area B, it is the policy of Council to pass bylaws, subject to Section 11.2 of this Plan, to permit:

(i) buildings containing only residential uses, up to a maximum residential density of 480 units per hectare;

(ii) buildings containing only non-residential uses, up to a maximum non-residential density of 3.0;

(iii) buildings containing a mix of residential and non-residential uses, up to the non-residential and residential densities determined by the following mixing formula:

$$\text{Non-Residential Density} + \frac{\text{Residential Density}}{100} = 7.8,$$

provided the non-residential density does not exceed 3.0 and the residential density does not exceed 480 units per hectare.

(c) In Spadina Sub-centre High Density Mixed Commercial-Residential Area C, it is the policy of Council to pass by-laws, subject to Section 11.2 of this Plan, to permit:

- (i) buildings containing only residential uses up to a maximum residential density of 480 units per hectare;
- (ii) buildings containing only non-residential uses up to a maximum non-residential density of 3.5; or
- (iii) buildings containing a mix of residential and non-residential uses, up to the non-residential and residential densities determined by the following mixing formula:

$$\text{Non-residential density} + \frac{\text{Residential Density}}{100} = 7.8,$$

provided that the non-residential density does not exceed 3.5, and the residential density does not exceed 480 units per hectare.

(d) In Spadina Sub-centre High Density Mixed Commercial-Residential Area D, it is the policy of Council to pass by-laws, subject to Section 11.2 of this Plan,to permit:

- (i) buildings containing only residential uses up to a maximum residential density of 580 units per hectare;
- (ii) buildings containing only non-residential uses, up to a maximum non-residential density of 2.0; or
- (iii) buildings containing a mix of residential and non-residential uses, up to the maximum residential and non-residential densities determined by the following mixing formula:

$$\text{Non-residential density} + \frac{\text{Residential Density}}{100} = 7.8,$$

provided that the non-residential density does not exceed 2.0 and the residential density does not exceed 580 units per acre.

10.3.5 Notwithstanding the provisions of Sections 10.3.3(b) and 10.3.4(b), (c) and (d), Council may pass by-laws in Spadina Sub-centre High Density Mixed Commercial-Residential Areas A, B, C, and D to permit buildings containing residential uses, alone or in combination with non-residential uses, at densities up to 25 per cent greater than the residential density permitted by Sections 10.3.3(b) and 10.3.4(b), (c) and (d), provided that the owner of such building agrees with the City to provide such additional residential density for the purpose of any assisted housing program.

10.3.6 Notwithstanding the provisions of Sections 10.3.3(b) and 10.3.4(b), (c) and (d), but subject to Section 3A.5(a) of Part I of this Plan, Council may, on the application therefor by the owner of a lot pass by-laws in Spadina Sub-centre High Density Mixed Commercial-Residential Areas B, C and D to permit buildings containing special housing units, alone or in combination with other uses, up to a maximum special residential density, in the case of Areas B, C and D, of 1,000 units per hectare.

10.4 Spadina Sub-centre Special Mixed Use Areas A, B, C, and D shall be regarded as an appropriate location for an urban stadium and multi-purpose facility and buildings containing a mix of non-residential uses with a strong street-related retail component.

Other land uses shall be located around the stadium component of the multi-purpose facility so that, to the extent possible, this facility functions as, and has the appearance of, an urban building. The public edges of the stadium building and other buildings in these areas should be compatible in form and scale and should reinforce The Esplanade West as an important public street.

10.4.1 (a) Spadina Sub-centre Special Mixed Use Area A shall be regarded as an appropriate location for buildings containing a mix of non-residential uses with a strong street-related retail component, and for a new urban stadium and multi-purpose facility.

(b) In Spadina Sub-centre Special Mixed Use Area A, it is the policy of Council to pass by-laws to permit a stadium and accessory uses as well as a mix of other non-residential uses up to a maximum non-residential density of 1.35, in addition to the non-residential density of the stadium and the uses directly accessory to the stadium.

(c) It is the policy of Council that the submissions required pursuant to Section 11.12 of this Plan should provide that:

(i) the portion of the non-residential density permitted in Spadina Sub-centre Special Mixed Use Area A which is constructed around the stadium component as part of the multi-purpose facility is sufficient to ensure that this facility functions as, and has the appearance of, an urban building; and

(ii) that the facility contains a strong street-related retail component.

(d) Council will use its available powers to ensure that parking spaces and loading and servicing facilities which serve the stadium and multi-purpose facility:

(i) are located so as to minimize, to the extent possible, traffic congestion;

(ii) are provided in a form and in locations which are consistent with the stadium's urban character and context; and

(iii) are located so as to be consistent with Council's objectives, to the extent possible, access to the stadium is provided by public transit rather than by private automobile.

(e) In particular, it is the policy of Concil to pass by-laws respecting the provision of parking spaces to serve the new stadium and multi-purpose facility which:

(i) are consistent with Section 10.4.1(d);

(ii) ensure that parking spaces which serve the stadium are, to the extent possible, located in other developments within the Railway Lands and in the portion of the surrounding area which is within ready walking distance of the stadium, so that these parking spaces will serve both the stadium and the land uses contained in the other developments; and

(iii) restrict the number of parking spaces which are not provided in accordance with Section 10.4.1(e)(ii) to a minimum of essential spaces.

(f) Council will use its available powers to ensure that the pedestrian and vehicular traffic generated by the stadium is accommodated in a manner which is compatible with surrounding non-residential and residential development, in particular the residential uses in the Spadina Sub-centre and in the Bathurst-Spadina Neighbourhood.

(g) It is the policy of Council that the components of the street system shown on Map B and described in Sections 8.2.1 through 8.2.10 of this Plan which are required to provide satisfactory pedestrian, transit and vehicular access to the stadium be completed by the time the stadium is operational or as soon as possible thereafter.

(h) It is the policy of Council that the pedestrian bridges and linkages shown on Map D and described in Sections 8.3.1 to 8.3.2 of this Plan which are required to provide satisfactory pedestrian and transit access to the stadium be completed by the time the stadium is operational or as soon as possible thereafter.

10.4.2 In Spadina Sub-centre Special Mixed Use Area B, it is the policy of Council to pass by-laws to permit:

(a) a new Metropolitan Toronto Water Works facility; and

(b) buildings containing a mix of non-residential uses with a strong street-related retail component up to a maximum non-residential density of 2.5.

10.4.3 In Spadina Sub-centre Special Mixed Use Area C, it is the policy of Council to pass by-laws to permit buildings containing a mix of non-residential uses with a strong street-related retail component, up to a non-residential density of 5.5.

10.4.4 In Spadina Sub-Centre Special Mixed Use Area D it is the policy of Council to pass by-laws to permit buildings containing a mix of non-residential uses with a strong street-related retail component up to a maximum non-residential density of 7.8.

10.5 Front Street General Use Areas A, B and C

10.5.1 Front Street General Use Areas A, B and C shall be regarded as an appropriate location for a mixture of commercial, institutional and compatible industrial uses, including street-related retail and service uses in order to enliven the pedestrian environment along Front Street and contribute to a high level of pedestrian amenity. Council may permit residential uses in this area only by way of amendment to this Plan.

10.5.2 It is the policy of Council that development in Front Street General Use Areas A, B and C will have a density and form which:

(a) helps to define Front Street as a significant urban street, and an important entrance to the central City;

(b) permits the development of parkland and pedestrian bridges across the rail corridor as shown on Map D so that the residential communities to the north will be linked to the residential and open space areas in the Railway Lands and that new development in the Railway Lands will be visually and physically accessible from the north; and

(c) permits development to bridge the rail corridor on both sides of a rebuilt Spadina Avenue Bridge at a scale and with a form that ensures that Spadina Avenue has continuous and consistent street frontage between Front Street and The Esplanade West.

10.5.3 In Front Street General Use Area A, it is the policy of Council, subject to Section 4.13 of Part I of this Plan and Section 11.2 of this Plan, to pass by-laws to permit:

(a) industrial buildings or uses which are environmentally compatible with adjacent and neighbouring uses, provided that the total gross floor area of such industrial buildings or uses does not exceed 4.0 times the area of the lot;

(b) commercial and/or institutional buildings or uses having a gross floor area of up to 2.5 times the area of the lot; or

(c) buildings containing a mix of industrial, commercial and institutional uses, having a total gross floor area up to 5.0 times the area of the lot, provided that the total gross floor area of the commercial and/or institutional component of any such mixed use building does not exceed 3.5 times the area of the lot.

10.5.4 In Front Street General Use Area B, Council, subject to Section 4.13 of Part I of this Plan and Section 11.2 of this Plan, it is the policy of Council to pass by-laws to permit buildings containing industrial, commercial and institutional uses alone or in combination, having a total gross floor area of 7.0 times the area of the lot.

10.5.5 In Front Street General Use Area C, it is the policy of Council, subject to Section 4.12 of Part I of this Plan and Section 11.2 of this Plan, to pass by-laws to permit buildings containing industrial, commercial, and institutional uses alone or in combination, having a total gross floor area of 4.0 times the area of the lot.

10.6 THE BATHURST-SPADINA NEIGHBOURHOOD

10.6.1 The area designated Bathurst-Spadina Medium Density Mixed Commercial Residential Areas A, B and C comprises the Bathurst-Spadina Neighbourhood.

The Bathurst-Spadina Neighbourhood shall be regarded as a predominantly residential area containing at least 2,000 dwelling units at low to medium densities in a variety of housing types and forms and available to a wide range of households, ages and incomes.

10.6.2 In addition to residential development, the Bathurst-Spadina Neighbourhood will contain local street-related retail and service uses, community services and facilities in accordance with the provisions of Section 5 of this Plan, and parks and open spaces in accordance with the provisions of Section 6 of this Plan.

10.6.3 In addition to the parkland and publicly accessible open spaces shown on Map D, it is the policy of Council to use its available powers to ensure the provision of smaller building-related open spaces and, where appropriate, children's play areas within blocks in the Bathurst-Spadina Neighbourhood.

10.6.4 The Bathurst-Spadina Neighbourhood is designated a Medium Density Mixed Commercial-Residential Area within which Council, subject to Section 4.3, 10.6.1, 10.6.2 and 10.6.5 of this Plan, may pass by-laws to permit:

(a) buildings containing only residential uses, up to a maximum residential density of 350 units per hectare;

(b) buildings containing only non-residential uses, up to a maximum non-residential density of 0.75;

(c) buildings containing a mix of residential uses and non-residential up to the non-residential and residential densities determined by the following mixing formula:

$$\text{Non-residential Density} + \frac{\text{Residential Density}}{100} = 4.0,$$

provided the non-residential density does not exceed 0.75 and the residential density does not exceed 350 units per hectare.

10.6.5 It is the policy of Council that by-laws passed by Council pursuant to Section 10.6.4 will establish a distribution of land uses and a range of densities in accordance with Sections 10.6.1 and 10.6.2 of this Plan.

In passing such by-laws, Council will have particular regard for the following objectives:

(a) the need to create a satisfactory residential environment in the context of the locational characteristics of the area, including the adjacent road and rail corridors;

(b) the provision of at least 25% of the dwelling units in the Bathurst-Spadina Neighbourhood as housing suitable for families with children; and

(c) the establishment of an appropriate relationship between development within the Bathurst-Spadina Neighbourhood and the western portion of the Spadina Sub-centre.

10.6.6 Notwithstanding the provisions of Section 10.6.4, but subject to Sections 10.6.1 and 10.6.5, Council may pass by-laws, where appropriate, to permit buildings containing residential uses, alone or in combination with non-residential uses at densities up to 25 per cent greater than the residential density permitted by Section 10.6.4, provided that the owner of such building agrees with the City to provide such additional residential density for the prupose of any assisted housing program.

10.6.7 Notwithstanding the provisions of Section 10.6.4, but subject to Sections 10.6.1 and 10.6.5 and Section 3A.5(a) of Part I of this Plan, Council may, where appropriate and on the application therefor by the owner of a lot, pass by-laws to permit buildings containing special housing units, alone or in combination with other uses, up to a maximum special residential density of 850 units per hectare.

10.7 Rail Corridor and Union Station Area

The Rail Corridor and Union Station Area is regarded as an appropriate location for inter-city passenger rail services, regional commuter rail services and freight rail services which are compatible with the development of the Railway Lands in accordance with the policies and provisions of the Plan.

10.7.1 Union Station is regarded as the primary focus for passenger rail and commuter rail facilities serving the Toronto region. In addition, Union Station is a primary focus for the Metropolitan Toronto subway service.

10.7.2 It is the policy of Council to ensure the retention of Union Station as a transportation terminal and to seek to ensure the satisfactory functioning of the station complex.

10.7.3 Subject to Sections 3.4(b) and (c) of this Plan, in the areas designated Rail Corridor and Union Station Area Council may pass by-laws to permit transportation and related uses and ancillary commercial uses only.

10.8 General

10.8.1 In order to facilitate the creation of secondary public streets and the provision of public parkland, the non-residential or residential density permitted to be developed on a lot in the Railway Lands shall be determined by including in the area of such lot:

(a) the area of the right-of-way of any street, except those shown as primary streets on Map B, which directly abuts the lot;

(b) the area of any public open space which directly abuts the lot and which the owner of the lot has agreed to provide to the City for dedication as a public park; and

(c) in the case of the lots immediately south of the east-west street located immediately south of the TTR rail corridor, designated lands between the east-west street and the TTR rail corridor which have the same land use designation.

10.8.2 It is the policy of Council that above grade parking not be included in the calculation of permitted commercial density within the Railway Lands where such facilities are located in accordance with the relevant provisions of by-laws passed in accordance with this Plan.

10.8.3 It is the policy of Council that the site of the Toronto Terminal Railways steam plant at 16 York Street be redeveloped for other land uses in accordance with the provisions of this Plan.

10.8.4 Notwithstanding the provisions of this Plan respecting the maximum residential and non-residential density permitted on a lot, but subject to Section 4.1(b) of this Plan Council, on the application therefore, may pass by-laws respecting lots located in the same District or Area, other than South Downtown Mixed Commercial-Residential Area A, Spadina Sub-centre Special Mixed Use Area A, the Bathurst Spadina Neighbourhood and Front Street General Use Area C, to permit the transfer or exchange of residential density and/or non-residential density permitted on the lots, provided that:

(a) no dwelling units are permitted on a lot on which no residential density is permitted by this Plan;

(b) the aggregate number of dwelling units and the aggregate non-residential gross floor area permitted on the lots by a by-law enacted pursuant to this section does not exceed the aggregate number of dwelling units and the aggregate non-residential gross floor area permitted on the same lots prior to the enactment of the by-law;

(c) in the case of any lot located in any precinct except the precinct designated "A" on Map E, the development permitted by a by-law enacted pursuant to this Section is consistent with the submissions made as part of a successful application to have the "H" removed, pursuant to Section 11.9 of this Plan;

(d) in the case of any lot located in the precinct designated "A" on Map E, the development permitted by a by-law enacted pursuant to this Section is consistent with the submissions made pursuant to Section 11.12 and 11.13 of this Plan;

(e) in the case of General Use Areas A and B and Spadina Sub-centre Special Mixed Use Areas A, B, C, and D the non-residential density on any lot to which the by-law applies does not exceed the maximum non-residential density shown below; and

(g) in the case of a Mixed Commercial-Residential Area, the constant in the mixing formula which describes the development on any lot to which the by-law applies does not exceed the maximum Mixing Formula constant shown below.

Area	Maximum Non-Residential Density or Mixing Formula "Constant"
- Financial District	12.0
- South Downtown High Density Mixed Commercial Residential Areas B and C	10.0
- Spadina Sub-Centre High Density Mixed Commercial-Residential Areas B, C and D and Spadina Sub-centre Special Mixed Use Area D	9.0
- Spadina Sub-Centre High Density Mixed Commercial-Residential Area A	6.5
- Spadina Sub-Centre Special Mixed Use Area C	6.5
- Spadina Sub-centre Special Mixed Use Area B	4.0
- Front Street General Use Area A	6.0
- Front Street General Use Area B	8.0;

For the avoidance of doubt, applications for amendments to the Zoning By-law made pursuant to this section are subject to the provisions of Section 34 of the Planning Act, 1983.

11. DEVELOPMENT STRATEGY

11.1 Subject to Section 11.3 of this Plan, Council recognizes that the following conditions affect the development of the Railway Lands and render appropriate the use of the provisions contained in Section 35 of The Planning Act, 1983:

(a) The Railway Lands are, at the time of the enactment of this Plan, inadequately provided with local services for complete development in accordance with the provisions of this Plan.

(b) The Railway Lands are not, at the time of the enactment of this Plan, divided into developable blocks.

(c) Development of the Railway Lands and the provision of the necessary services must be co-ordinated in an orderly sequence.

(d) The scale and extent of the Railway Lands are such that development in accordance with the provisions of this Plan will take place over a considerable period of time.

(e) It is the policy of Council that the early commencement of the development of the Railway Lands in accordance with and subject to this Plan is to be facilitated.

11.2 Council recognizes the importance to the City, the other levels of government and agencies involved in the servicing of the Railway Lands and the landowners within the Railway Lands of understanding and defining in this Plan the extent and distribution of the development potential of the Railway Lands in their entirety.

Accordingly, it is Council's intention to enact a by-law consistent with the provisions of this Plan affecting the entirety of the Railway Lands, except for the precinct designated "A" on Map E, which utilizes the holding provisions of Section 35 of The Planning Act, 1983. The zoning by-law enacted pursuant to Section 35 of The Planning Act, 1983 shall define and incorporate a holding symbol which shall be the letter "h" and which shall precede the use and density designations contained in any such by-law. This zoning by-law shall specify the use to which lands, buildings or structures may be put at such time in the future as the Holding Symbol is removed by amendment to the by-law.

The Holding Symbol will be removed from any such by-law on an incremental basis in accordance with the provisions of Section 11.4 through 11.17 inclusive of this Plan.

11.3 Council recognizes that the precinct designated "A" on Map E includes an appropriate site for an urban stadium and multi-purpose facility for Metropolitan Toronto, in the context of development for other urban land uses, and it is the policy of Council to encourage the early development of this precinct for these purposes. Accordingly, it is the policy of Council to enact a zoning by-law implementing the provisions of this Plan as they affect that precinct provided that the relevant requirements of Section 11 have been complied with.

11.4 Council recognizes that the precincts shown on Map E are areas suitable for independent development in accordance with the policies and provisions of this Plan.

11.5 Council recognizes that the boundaries of the precincts shown on Map E are approximate. Where the general intent of this Plan is maintained, minor adjustments to such boundaries will not require amendment to this Plan. In particular, the boundaries of a precinct may be varied without amendment to this Plan in order to include, where appropriate, the continuation outside of the precinct of a public highway or public or private street and the related services located within the precinct.

11.6 For the purposes of this Plan, a Precinct Plan and a Precinct Agreement shall mean, respectively, a document containing, in graphic and written form, the information described in Section 11.7 of this Plan, and an agreement sufficient to ensure that the matters set out in the Precinct Plan are adequately secured. In the case of all precincts except the precinct designated "A" on Map E, a Precinct Plan and Precinct Agreement shall be submitted to City Council by way of an application pursuant to Section 35 of The Planning Act, 1983 to amend the zoning by-law for the Railway lands to remove the Holding Symbol with respect to a precinct.

With respect to the precinct designated "A" on Map E, an application pursuant to Section 34 of the Planning Act and in compliance with Sections 11.12 and 11.13 of this Plan shall be submitted prior to Council's enactment of a zoning by-law which implements the provisions of this Plan.

11.7 A Precinct Plan submitted with an application to remove the Holding Symbol from a precinct, shall show and contain:

(a) the location, elevation, dimensions and intersection details of all existing and proposed public highways, public streets, and private roadways within the precinct as are sufficient to serve the existing and incremental vehicular traffic created by the development permitted by this Plan;

(b) the details of the connections with any existing public highways of any proposed public highways, public streets and private roadways, and of any existing public highways, public streets and private roadways whose alignment and/or dimensions are proposed to be altered within the precinct;

(c) the location, elevation, dimensions and intersection details of all existing and such proposed sidewalks adjoining the existing and proposed streets in the precinct as are sufficient to meet the needs of pedestrians travelling in and through the precinct as the result of development permitted by this Plan.

(d) the location of such existing and proposed municipal services within the precinct as are sufficient to serve the development permitted by this Plan.

(e) the location of such existing and proposed utility services within the precinct as are sufficient to serve the development permitted by this Plan;

(f) the location of any school or schools and any community centre to be constructed in the precinct;

(g) a description of the locations of all existing transit facilities and of the proposed rights-of-way of any proposed transit facilities, and of the points of ingress to and egress from these existing and proposed facilities which are together sufficient to meet the needs of public transit users travelling to, from and within the precinct;

(h) the location, dimensions and areas of any lands to be leased or conveyed to the City for housing and parks purposes in conjunction with the development of the precinct and pursuant to Section 4.4 of this Plan;

(i) the general treatment of all public sidewalks and public streets, referred to in (a) and (c) above, including:

- paving materials
- street trees
- pedestrian scale street lighting
- the general locations of street furniture.

(j) the location and minimum dimensions of pedestrian bridges, tunnels and mid-block routes within or directly servicing development within the precinct which meet the requirements of this Plan ;

(k) a description of the timing of any relocation of railway uses and trackage, including the High Line, located within the precinct;

(l) a description of the manner in which the safeguards and measures set out in the Environmental Report affecting the precinct are to be implemented in the precinct;

(m) the manner in which the precinct is to be linked to any adjacent precinct or precincts, with specific reference to the matters set out in (a) to (l) above; and

(n) a description of the extent of archaeological resources or potential resources within the precinct, and the phasing of investigations in accordance with the archaeological strategy described in Section 7.6 of this Plan.

11.8 (a) An applicant seeking the removal of the Holding Symbol from the zoning by-law affecting a precinct shall submit a Concept Plan. A Concept Plan shall be capable of accommodating a range of built form solutions for a precinct. In demonstrating this capability, a Concept Plan shall show:

(i) setback and/or build-to lines;

(ii) built form envelopes, demonstrating how the development potential permitted on each block is to be generally distributed on the block;

(iii) the location and character of private open spaces;

(iv) the location of any arcades, canopies and other weather-protected routes;

(v) the general location of parking facilities and service access areas;

(vi) the general locations of principal pedestrian entrances;

(vii) public pedestrian routes;

(viii) the general location of public street related uses; and

(ix) the manner in which linkages to adjacent precincts could be accomplished and treated.

(b) The purposes of a Concept Plan for a precinct shall be:

  (i) to assist Council in evaluating the conformity of the Precinct Plan with the relevant provisions of this Plan; and

  (ii) to assist Council in evaluating development applications for review under Section 40 of The Planning Act, 1983, in conjunction with Section 3.5 of this Plan.

(c) For the avoidance of doubt, a Concept Plan may establish variations to the maximum heights established by the Zoning Bylaw for the Railway Lands as the result of considerations related to massing and conceptual design.

11.9 An application to amend the Zoning By-law for the Railway Lands to remove the Holding Symbol shall comprise:

(a) a Precinct Plan, as defined in Section 11.6;

(b) a Precinct Agreement, as defined in Section 11.6;

(c) an Environmental Report, as defined in Section 9.1;

(d) an Environmental Agreement, as defined in Section 9.2; and

(e) a Concept Plan, as defined in Section 11.8(a) and 11.8(b),

each of which shall cover at least the precinct to which the application applies.

11.10 An application to remove the Holding Symbol shall, upon its receipt, be circulated for review and comment to the City, Metropolitan, Provincial and Federal officials, and the officials of any commissions, authorities, coporations, or other bodies, involved in the development or servicing of the area affected by the application.

The application will also be the subject of a public meeting to be held by the City's Land Use Committee or any successor to that Committee prior to Council's consideration of a bylaw to remove the Holding Symbol.

11.11 Subject to Section 11.17 of this Plan, it is the policy of Council to enact a by-law removing the Holding Symbol from a precinct provided it has received and given due consideration to an application therefore which comprises:

(a) a Precinct Plan which is reasonable and in accordance with the policies and provisions of this plan;

(b) a form of Precinct Agreement which is sufficient to secure the provision to or for the City of the matters set out in a Precinct Plan;

(c) an Environmental Report which satisfies the requirements of Section 9 of this Plan respecting the area which is the subject of the application;

(d) a form of Environmental Agreement which is sufficient to secure the safeguards and measures set out in the Environmental Report and which satisfies the requirements of Section 9 of this Plan; and

(e) a Concept Plan prepared in accordance with Section 11.8(a) and (b) of this Plan which is consistent with the relevant provisions of Section 3.5 of this Plan.

For the avoidance of doubt, it is the policy of City Council that any question of whether the Holding Symbol is to be removed from the Zoning By-law in accordance with the policies of this Plan may be referred by the applicant to the Ontario Municipal Board pursuant to Section 35 of The Planning Act. In the event the applicant appeals to the Ontario Municipal Board pursuant to Section 35(3) of the Planning Act, 1983, the Ontario Municipal Board shall determine any issue of the completeness or conformity of the application materials with the policies and provisions of this Plan.

11.12 With respect to the precinct designated "A" on Map E, it is the policy of Council to enact a by-law pursuant to the Section 34 of the Planning Act implementing the provisions of this Plan as they affect that precinct, provided it has received and given due consideration to an application which shall show and contain:

(a) the location, elevation, dimensions and intersection details of all existing and proposed public highways, public streets, and private roadways within the precinct as are sufficient to serve the existing and incremental vehicular traffic created by the development permitted by this Plan;

(b) the details of the connections with any existing public highways of any proposed public highways, public streets and private roadways, and of any existing public highways, public streets and private roadways whose alignment and/or dimensions are proposed to be altered within the precinct;

(c) the location, elevation, dimensions and intersection details of all existing and such proposed sidewalks adjoining the existing and proposed streets in the precinct as are sufficient to meet the needs of pedestrians travelling in and through the precinct as the result of development permitted by this Plan.

(d) the location of such existing and proposed municipal services within the precinct as are sufficient to serve the development permitted by this Plan.

(e) the location of such existing and proposed utility services within the precinct as are sufficient to serve the development permitted by this Plan;

(f) the location of any school or schools and any community centre to be constructed in the precinct;

(g) a description of the locations of all existing transit facilities and of the proposed rights-of-way of any proposed transit facilities, and of the points of ingress to and egress from these existing and proposed facilities which are together sufficient to meet the needs of public transit users travelling to, from and within the precinct;

(h) the location, dimensions and areas of any lands to be leased or conveyed to the City for housing and parks purposes in accordance with the provisions of this Plan;

(i) the general treatment of all public sidewalks and public streets, referred to in (a) and (c) above, including:

- paving materials
- street trees
- pedestrian scale street lighting
- the general locations of street furniture.

(j) the location and minimum dimensions of pedestrian bridges, tunnels and mid-block routes within or directly servicing development within the precinct which meet the requirements of this Plan ;

(k) a description of the timing of any relocation of railway uses and trackage, including the High Line, located within the precinct;

(l) the manner in which the precinct is to be linked to any adjacent precinct or precincts, with specific reference to the matters set out in (a) to (k) above.

(m) a description of the extent of archaeological resources or potential resources within the precinct, and the phasing of investigations in accordance with the archaeological strategy described in Section 7.6 of this Plan.

(n) a form of Agreement which is sufficient to secure the provision to or for the City of the matters set out in the application;

(o) a report which satisfies the requirements of Section 9.1 of this Plan respecting the precinct, and a description of the manner in which the safeguards and measures set out in the report are to be secured; and

(p) a form of Agreement which is sufficient to secure the safeguards and measures set out in the report outlined in Sub-section (o) and which satisfies the requirements of Section 9.1 of this Plan.

11.13 It is the policy of Council that a by-law enacted pursuant to Section 11.12 shall include, in addition to provisions respecting use and density and other matters dealt with in City's Zoning By-law, specific provisions respecting the location and form of development to be permitted in the precinct, including:

(a) the definition of the areas within each block where buildings are to be permitted;

(b) set-back lines;

(c) height limits and/or angular planes; and

(d) the definition of any areas where parking spaces are to be prohibited;

11.14 The submissions made in accordance with Section 11.12 shall be circulated for review and comment to the City, Metropolitan, Provincial and Federal officials, and the officials of any commission, authorities, corporations, or other bodies involved in the development or servicing of the precinct.

11.15 Prior to the removal of the holding symbol, or, in the case of the precinct designated "A" on Map E, prior to the enactment of a zoning by-law implementing the provisions of this Plan as they affect that precinct, land within the Railway Lands may be used for:

(a) railway and related purposes, and

(b) the provision of any public work which is consistent with the future use of the land in accordance with the provisions of this Plan.

11.16 Notwithstanding any other provision of this Plan, no development other than that permitted by Section 11.15 of this Plan may proceed in any precinct west of Spadina Avenue until:

(a) the relocation of the High Line freight by-pass is underway;

(b) approximately 75 per cent of the public facilities, infrastructure and services, measured in constant dollars, and development on 50 per cent of privately owned sites of any precinct between Spadina Avenue and John Street are under construction; and

(c) adequate consultation, within a reasonable period of time, has taken place with the Ministry of Education, the Toronto School Board, and the Metropolitan Separate School Board in order:

(i) to determine whether a school or schools will be required in the portion of the Railway Lands west of Spadina Avenue, and, if a school (or schools) is required,

(ii) to identify the approximate location for any such school or schools, having regard for the policies contained in Seciton 5.3-5.5 of this Plan.

11.17 Notwithstanding anything contained in this Section, Council may reduce the requirements for the removal of the Holding Symbol and may enact a by-law removing the Holding Symbol to permit the development of an individual site in the Railway Lands, provided that:

(a) the site has been or will be provided with access and municipal services adequate to service the proposed developement of the site;

(b) the development is consistent with the other provisions of this Plan;

(c) subject to the removal of the Holding Symbol, the proposed development of the site is permitted by the Zoning By-law;

(d) the site has been included in an Environmental Report and the safeguards and measures identified in the Environmental Report are satisfactory to the City and the Ministry of the Environment and have been adequatey secured; and

(e) the development proposed for the site is of major public significance.

12. IMPLEMENTATION

12.1 It is the policy of Council that the planning, regulation and control of the Railway Lands in accordance with the provisions of this Plan be undertaken as far as is possible within the provisions of The Planning Act, 1983.

12.2 It is the policy of Council to designate the entirety of the Railway Lands as an area of site plan control pursuant to Section 40 of The Planning Act, 1983.

13. DEFINITIONS

13.1 Unless otherwise defined in this Plan, the italicized words in this Plan shall have the same meanings as are provided by Part I of this Plan.

13.2 The areas referred to below are defined by the boundary lines on the following Maps:

Map A

Railway Lands

Map C

Bathurst-Spadina Medium Density Mixed Commercial-Residential Areas A, B and C

Financial District A and B

Front Street General Use Areas A, B and C

Major Parkland Area

Rail Corridor and Union Station Area

South Downtown High Density Mixed Commercial-Residential Areas A, B, C and D

Spadina Sub-centre High Density Mixed Commercial-Residential Areas A, B, C, and D

Spadina Sub-centre Special Mixed Use Areas A, B, C, and D

Map E

precincts

13.3 Concept Plan... See Section 11.8(a) and (b).

13.4 Environmental Report... See Section 9.1.

13.5 Environmental Agreement... See Section 9.2.

13.6 Major Parkland Area ... See Section 13.2

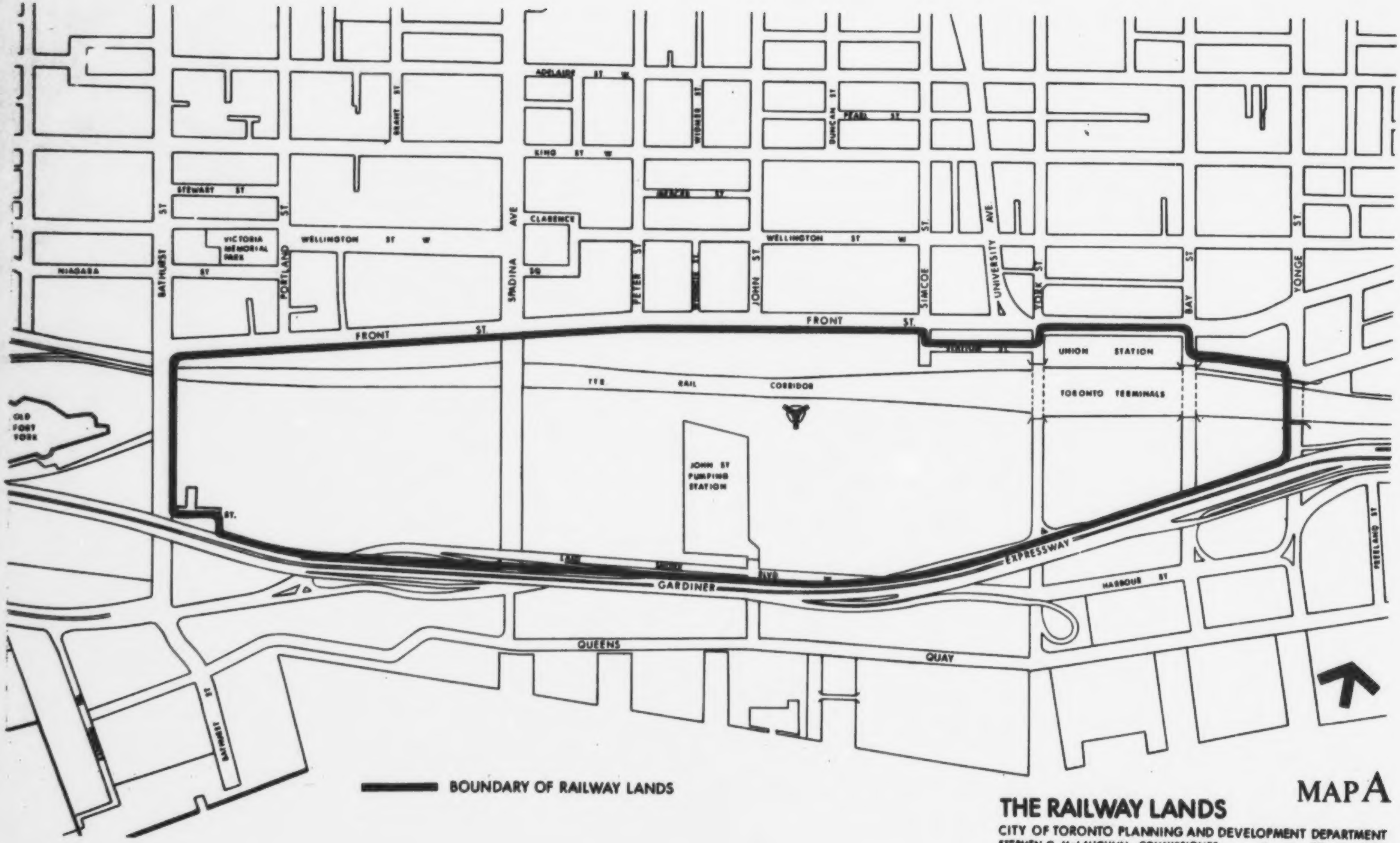
13.7 Municipal Services means sanitary and storm sewers and watermains.

13.8 precinct .... See Section 13.2

13.9 Precinct Agreement.. See Section 11.6

13.10 Precinct Plan... See Section 11.6.

13.11 Utility Services means cable television, telephone, gas and/or electricity facilities, or other services.



ADELAIDE ST W
KING ST W
STEWART ST
WELLINGTON ST W
NIAGARA
BATHURST ST
VICTORIA MEMORIAL PARK
PORTLAND ST
GRANGE ST
SPADINA AVE
CLARENCE SQ
PETER ST
WIDMER ST
MERCER ST
JOHN ST
DUNCAN ST
PEARL ST
SIMCOE ST
UNIVERSITY AVE
YORK ST
BAY ST
YONGE ST
FRONT ST
STATION ST
UNION STATION
TORONTO TERMINALS
TTR RAIL CORRIDOR
JOHN ST PUMPING STATION
OLD FORT YORK
LAKE SHORE BLVD W
GARDINER EXPRESSWAY
HARBOUR ST
FREELAND ST
QUEENS QUAY
BATHURST ST
BOUNDARY OF RAILWAY LANDS

MAP A

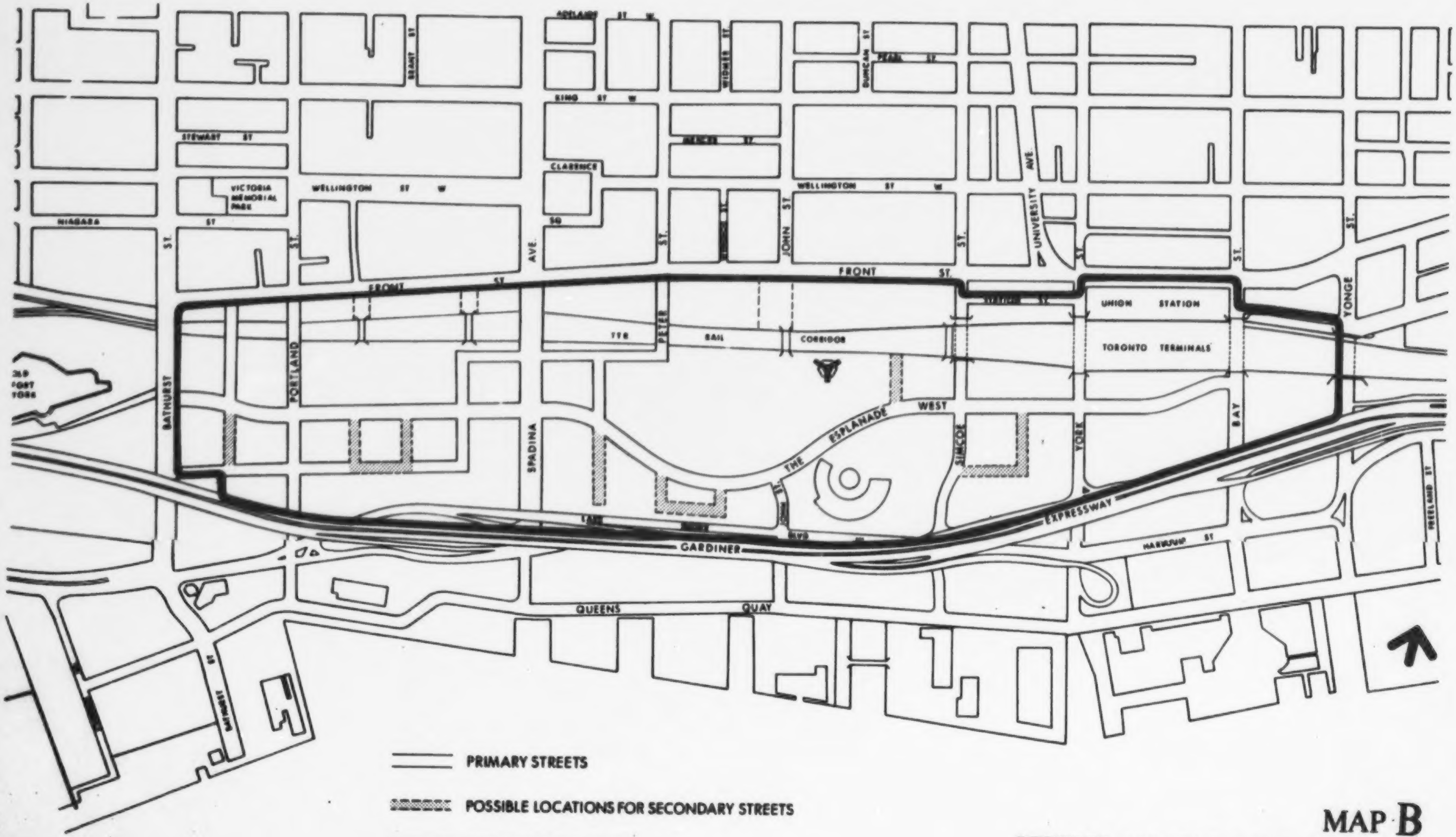
THE RAILWAY LANDS

CITY OF TORONTO PLANNING AND DEVELOPMENT DEPARTMENT
STEPHEN G. McLAUGHLIN – COMMISSIONER

0 100 200 m

FILE No. DRAWN BY: CHECKED BY: JULY, 1985

1-47



ADELAIDE ST W
GRANT ST
WIDMER ST
DUNCAN ST
PEARL ST
KING ST W
STEWART ST
MERCER ST
CLARENCE
VICTORIA MEMORIAL PARK
WELLINGTON ST W
WELLINGTON ST W
NIAGARA
ST
SQ
UNIVERSITY AVE.
FRONT ST
FRONT ST.
STATION ST
UNION STATION
TORONTO TERMINALS
RAIL CORRIDOR
OLD FORT YORK
BATHURST
PORTLAND
PETER
SPADINA AVE.
JOHN ST
SIMCOE ST.
YORK
BAY ST.
YONGE ST.
THE ESPLANADE WEST
LAKE SHORE BLVD
GARDINER EXPRESSWAY
HARBOUR ST
FREELAND ST
QUEENS QUAY
BATHURST ST
PRIMARY STREETS
POSSIBLE LOCATIONS FOR SECONDARY STREETS
BOUNDARY OF RAILWAY LANDS
0
100
200 m

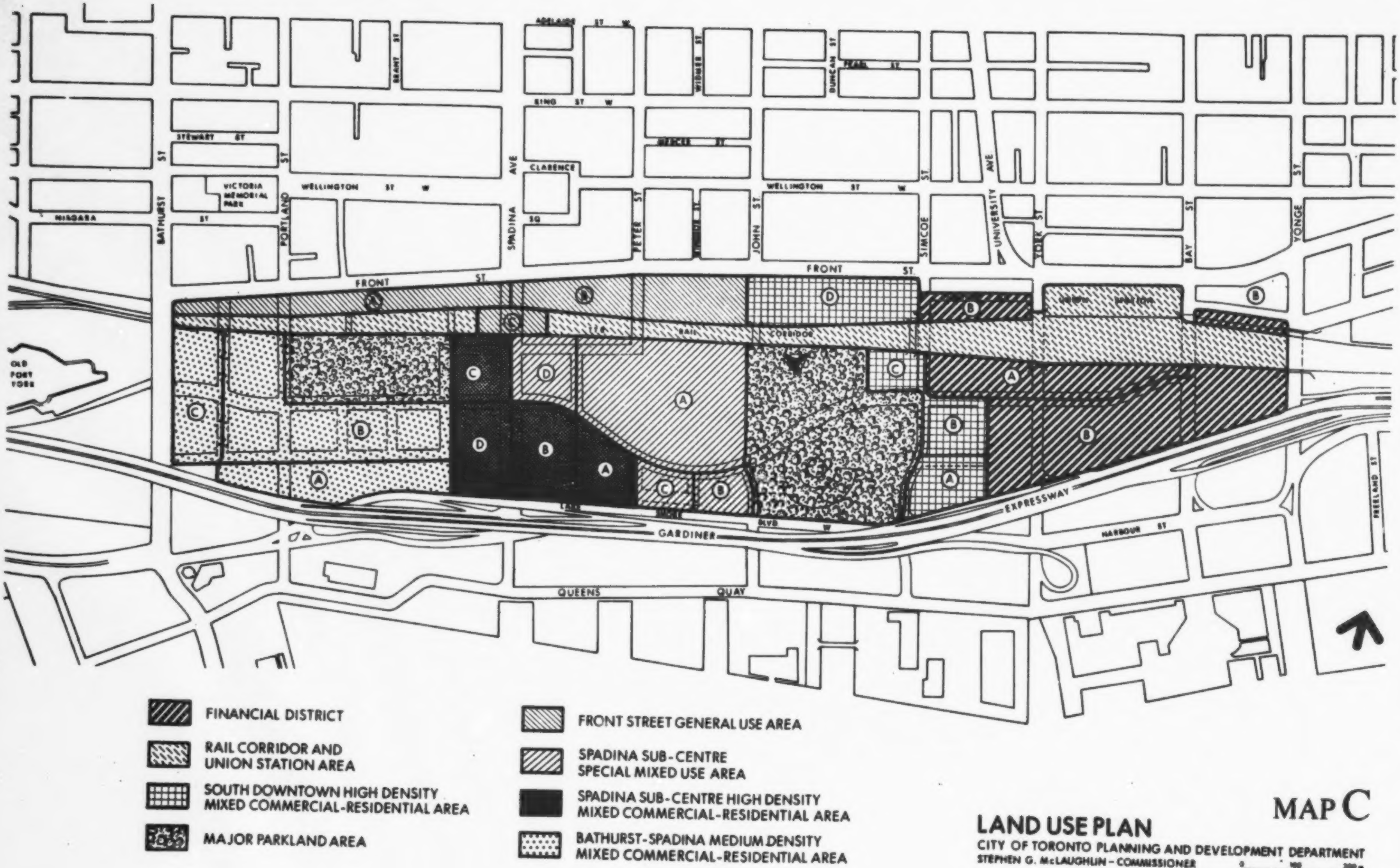
MAP B

STREETS AND BLOCKS PLAN

CITY OF TORONTO PLANNING AND DEVELOPMENT DEPARTMENT
STEPHEN G. McLAUGHLIN – COMMISSIONER

FILE No. DRAWN BY: CHECKED BY: JULY, 1985

1-48


ADELAIDE ST W
KING ST W
STEWART ST
WELLINGTON ST W
VICTORIA MEMORIAL PARK
NIAGARA
BATHURST ST
PORTLAND ST
SPADINA AVE
CLARENCE SQ
PETER ST
MERCER ST
WIDMER ST
JOHN ST
DUNCAN ST
PEARL ST
SIMCOE ST
UNIVERSITY AVE
YORK ST
BAY ST
YONGE ST
FRONT ST
RAIL CORRIDOR
UNION STATION
OLD FORT YORK
LAKE SHORE BLVD W
GARDINER EXPRESSWAY
QUEENS QUAY
HARBOUR ST
FREELAND ST
A
B
C
D
FINANCIAL DISTRICT
RAIL CORRIDOR AND UNION STATION AREA
SOUTH DOWNTOWN HIGH DENSITY MIXED COMMERCIAL-RESIDENTIAL AREA
MAJOR PARKLAND AREA
FRONT STREET GENERAL USE AREA
SPADINA SUB-CENTRE SPECIAL MIXED USE AREA
SPADINA SUB-CENTRE HIGH DENSITY MIXED COMMERCIAL-RESIDENTIAL AREA
BATHURST-SPADINA MEDIUM DENSITY MIXED COMMERCIAL-RESIDENTIAL AREA

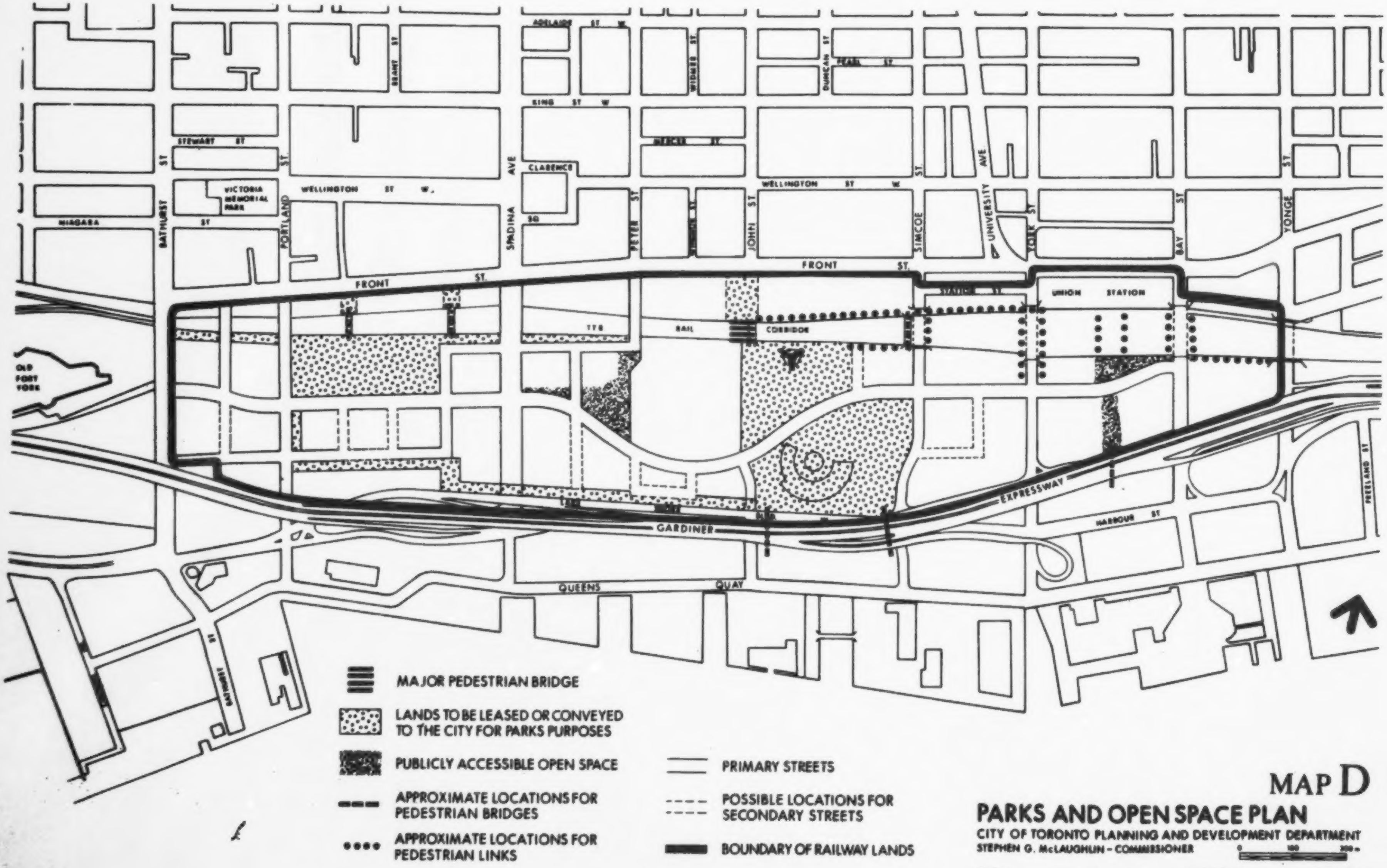
MAP C

LAND USE PLAN

CITY OF TORONTO PLANNING AND DEVELOPMENT DEPARTMENT
STEPHEN G. McLAUGHLIN - COMMISSIONER

0 100 200 m

FILE No. DRAWN BY: CHECKED BY: JULY, 1985

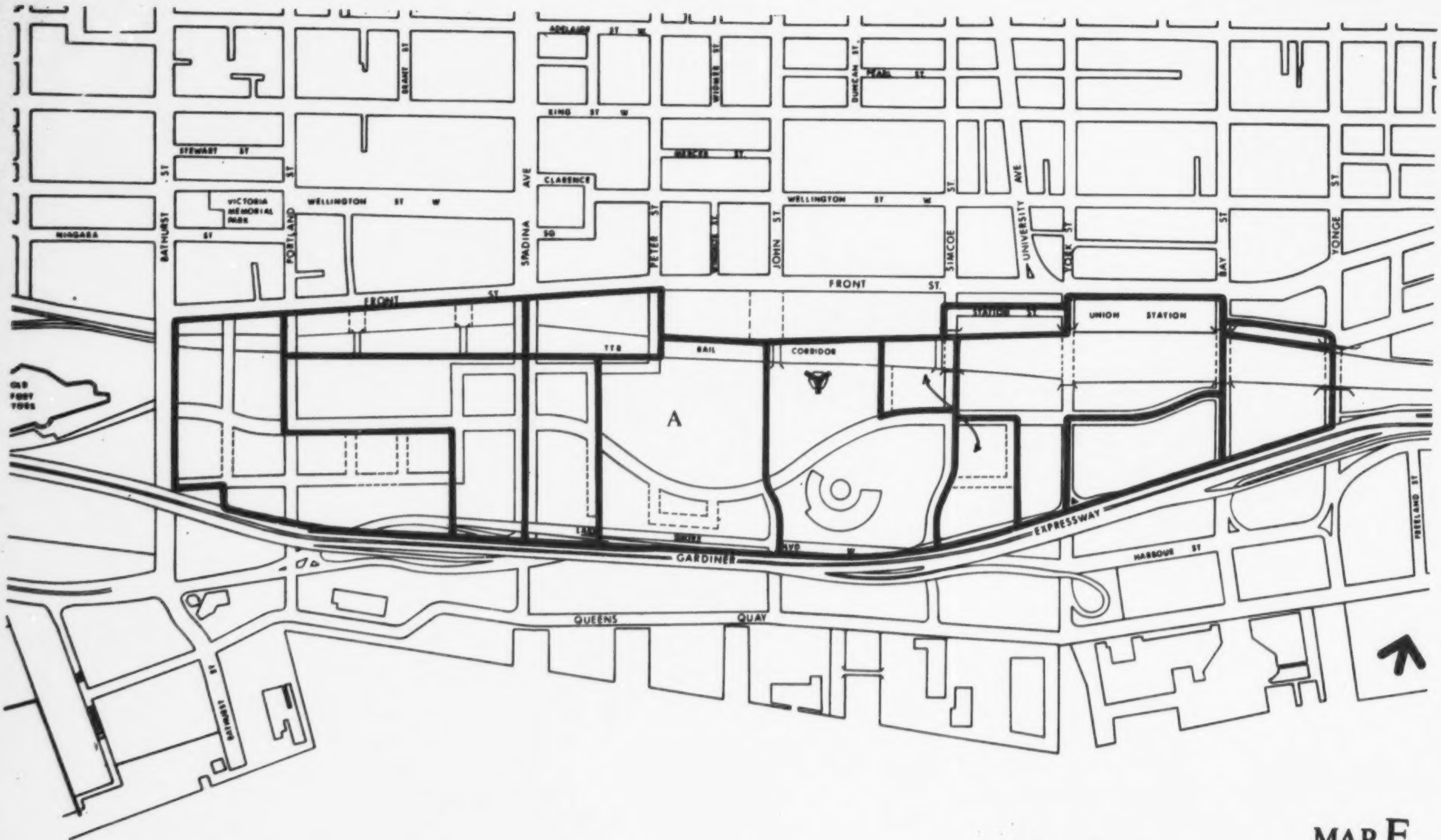

ADELAIDE ST W
KING ST W
STEWART ST
MERCER ST
WELLINGTON ST W
VICTORIA MEMORIAL PARK
NIAGARA
BATHURST ST
PORTLAND ST
SPADINA AVE
CLARENCE SQ
PETER ST
WIDMER ST
JOHN ST
DUNCAN ST
PEARL ST
SIMCOE ST
UNIVERSITY AVE
YORK ST
BAY ST
YONGE ST
FRONT ST
STATION ST
UNION STATION
TTR
RAIL CORRIDOR
OLD FORT YORK
GARDINER EXPRESSWAY
HARBOUR ST
FREELAND ST
QUEENS QUAY
BATHURST ST
MAJOR PEDESTRIAN BRIDGE
LANDS TO BE LEASED OR CONVEYED TO THE CITY FOR PARKS PURPOSES
PUBLICLY ACCESSIBLE OPEN SPACE
APPROXIMATE LOCATIONS FOR PEDESTRIAN BRIDGES
APPROXIMATE LOCATIONS FOR PEDESTRIAN LINKS
PRIMARY STREETS
POSSIBLE LOCATIONS FOR SECONDARY STREETS
BOUNDARY OF RAILWAY LANDS
0 100 200 m

MAP D

PARKS AND OPEN SPACE PLAN

CITY OF TORONTO PLANNING AND DEVELOPMENT DEPARTMENT
STEPHEN G. McLAUGHLIN – COMMISSIONER

FILE No. DRAWN BY: CHECKED BY: JULY, 1985


ADELAIDE ST W
GRANT ST
WIDMER ST
DUNCAN ST
PEARL ST
KING ST W
STEWART ST
MERCER ST
CLARENCE SQ
VICTORIA MEMORIAL PARK
WELLINGTON ST W
NIAGARA
BATHURST ST
PORTLAND ST
SPADINA AVE
PETER ST
JOHN ST
SIMCOE ST
UNIVERSITY AVE
YORK ST
BAY ST
YONGE ST
FRONT ST
STATION ST
UNION STATION
TTR
RAIL
CORRIDOR
A
OLD FORT YORK
LAKE SHORE BLVD W
GARDINER EXPRESSWAY
HARBOUR ST
FREELAND ST
QUEENS QUAY
BATHURST ST

MAP E

PRECINCTS

CITY OF TORONTO PLANNING AND DEVELOPMENT DEPARTMENT
STEPHEN G. McLAUGHLIN – COMMISSIONER

0 100 200 m

FILE No. DRAWN BY: CHECKED BY: JULY, 1985

APPENDIX 2

Draft By-law No. 1

No. -85 A BY-LAW

To amend By-law No. 20623 to regulate certain lands within The City of Toronto

(Passed , 1985)

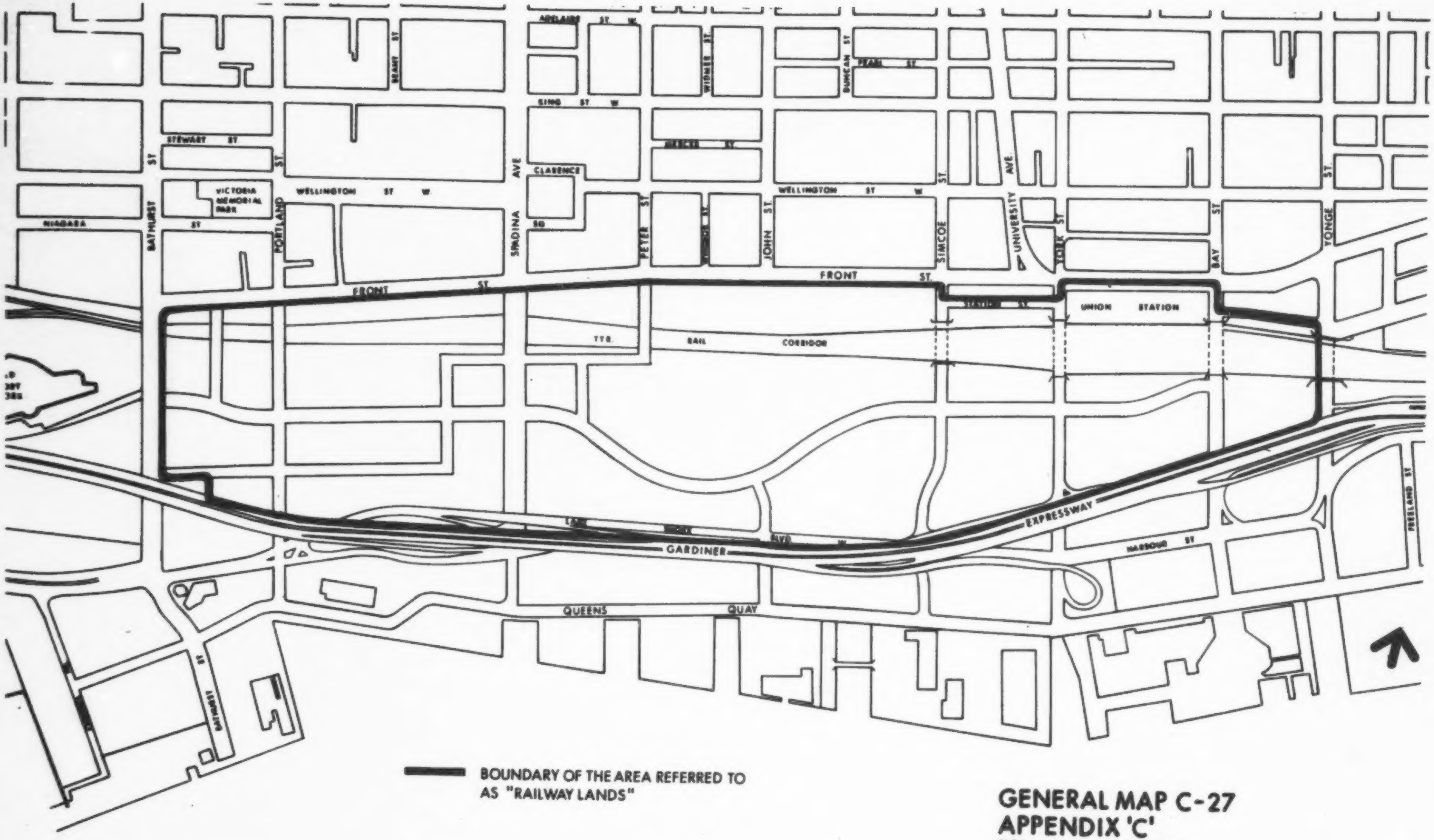
The Council of The Corporation of the City of Toronto enacts as follows:

1. By-law No. 20623, being "A By-law To regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of land and the erection and use of certain buildings and structures in various areas of the City of Toronto" is amended by adding to Appendix "C" Map C-27 attached to and forming part of this By-law.

2. None of the provisions of the aforesaid By-law No. 20623 shall apply to the lands shown by a heavy line on Map C-27 contained in Appendix "C" annexed to the aforesaid By-law No. 20623.

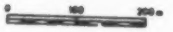
3. Clause (c) of subsection (2) of Section 14 of the aforesaid By-law No. 20623 is hereby repealed.

2-11


ADELAIDE ST W
KING ST W
WELLINGTON ST W
FRONT ST
NIAGARA
BATHURST ST
STEWART ST
VICTORIA MEMORIAL PARK
PORTLAND ST
BRANT ST
SPADINA AVE
CLARENCE SQ
PETER ST
WIDMER ST
MERCER ST
WINDSOR ST
JOHN ST
DUNCAN ST
PEARL ST
SIMCOE ST
UNIVERSITY AVE
YORK ST
BAY ST
YONGE ST
STATION ST
UNION STATION
TTR. RAIL CORRIDOR
LAKE SHORE BLVD W
GARDINER EXPRESSWAY
HARBOUR ST
FREELAND ST
QUEENS QUAY
BATHURST ST

BOUNDARY OF THE AREA REFERRED TO AS "RAILWAY LANDS"

GENERAL MAP C-27
APPENDIX 'C'
BY-LAW 20623



CONTENTS

SECTION

1. TITLE
2. DEFINITIONS
3. DISTRICTS
4. REGULATIONS APPLYING TO ALL USE DISTRICTS
5. G DISTRICTS
6. CR DISTRICTS
7. IC DISTRICTS
8. T DISTRICTS
9. h DISTRICTS

Appendix A - General Map

Appendix B - District Map

Appendix C - Height Map

Appendix D - Site Specific Maps

Draft By-Law No. 2

No. -85 A BY-LAW

(Passed ,1985)

To regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the Railway Lands.

The Council of The Corporation of the City of Toronto enacts as follows:

SECTION 1 - TITLE

This by-law may be cited as the "Railway Lands Zoning By-law".

SECTION 2 - DEFINITIONS

In this by-law, unless a contrary intention appears:

"accessory" when used to describe a use, building or structure, means that the use, building or structure is:

(a) naturally and normally incidental, subordinate in purpose or floor area, or both, and exclusively devoted to a principal use, building or structure; and

(b) except as permitted by subsection (5) of Section 4, located on the same lot as the principal use, building or structure;

"animal hospital" includes the premises of a veterinary surgeon where animals, birds or other livestock are treated or kept;

"apartment house" means a building originally constructed so as to provide therein three or more dwelling units but does not include a building coming within the definition of tourist establishment as defined in The Tourism Act, R.S.O. 1970, Chapter 122, as amended, or as it may be amended from time to time;

"artist's or photographer's studio" includes a studio used for purposes such as photography, painting, art, needlework, tapestry making, pottery making, handweaving or sculpting, and includes an area for displaying or selling goods provided that such area is accessory to the production process;

"assisted housing", as used in subsection (5) of Section 4, means dwelling units which the owner of the lot agrees with The Corporation of the City of Toronto pursuant to Section 5 of The City of Toronto Act, 1975 (No. 2), as amended from time to time, to provide for the purposes of an assisted housing program;

"automobile service and repair shop" means a shop, not otherwise classified or defined in this by-law, for installing, servicing or repairing mufflers, transmissions, tires, including vulcanizing or retreading, batteries, brakes or radiators, automotive ignition or electric systems and includes the rebuilding or remanufacture of automotive engines, transmissions or drives, but does not include an automobile service station or a motor vehicle repair shop, class A or B;

"automobile service station" means a building or place equipped with one or more service areas where motor vehicles are oiled, greased, washed, have ignition adjusted, tires inflated, batteries charged, and where minor or running repairs essential to the actual operation of motor vehicles are executed or performed and which may include the storing or keeping for sale of automotive fuels, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark-plugs, and batteries, and for greater certainty does not include a gas bar;

"bachelor dwelling unit" means a "dwelling unit" which contains only one habitable room;

"bake-shop" means a shop where products of a bakery are sold or offered for sale by retail, including incidental baking;

"bedroom" means a habitable room larger than 7 square metres, but does not include a living room, dining room or kitchen;

"blacksmith's shop" includes a shop for shoeing horses and other animals or where light power machinery may be used for individual custom blacksmithing and decorative wrought metal work but does not include a shop where there is carried on any factory production of articles;

"boarding or lodging house" means a dwelling house in which the proprietor supplies for gain lodging with or without meals, but does not include an hotel, hospital, children's home, home for the aged, apartment house or other establishment otherwise classified or defined in this by-law;

"branch of a bank or financial institution" includes commercial banks, credit unions, finance or trust companies that deal directly with the public on the premises but does not include an office building;

"business office" includes a telegraph office, a telephone exchange;

"car washing establishment" means a public garage for washing or cleaning motor vehicles;

"carpenter's shop" includes a building where light power machinery may be used for repairing furniture or other individual custom wood work but does not include any shop where there is carried on any factory production of furniture, fixtures, sash, doors, flooring or other articles;

"ceramics factory" means a factory for bonding and firing bricks, tile, earthenware, glassware, abrasive products or other fabrication of the non-metallic minerals but does not include the manufacture of cement blocks, bricks, beams or pipes, nor of artificial abrasive, whether a by-product or not, nor any clay pit or other mining use;

"charitable institution" means an institution to which The Charitable Institutions Act, R.S.O. 1970, Chapter 62, applies but does not include a residential care facility or a crisis care facility;

"church" means a building dedicated to religious worship;

"clinic" means a public or private medical, surgical, physiotherapeutic or other human health clinic, regularly staffed by two or more practising physicians, surgeons, dentists or other qualified medical practitioners or by two or more licensed chiropractors or osteopaths, but shall not include a clinic that is accessory to a private or public hospital;

"club" means a lawn bowling, tennis, badminton or other athletic, social or recreational club located on private lands, whether or not such club is operated for profit, and includes the premises of a fraternal organization, in a building or portion of a building originally constructed for such purpose, or in an office building having motor vehicle parking facilities for such use;

"cold storage locker plant" means a building in which space in individual lockers is rented or otherwise made available for the storage of frozen food;

"commercial bakery" means the whole of a building having a non-residential gross floor area not in excess of 250 square metres used exclusively for the production of any bakery product of which flour or meal is the principal ingredient and may be combined with one or more of the following uses: retail or wholesale sales of such products, incidental retail sales, an eating establishment provided no other uses or combination of uses are permitted.

"commercial school" means a school conducted for hire or gain, other than a private academic, religious or philanthropic school, and includes the studio of a dancing teacher or music teacher, an art school, golf school, school of calisthenics, or business school and any other such specialized school conducted for hire or gain;

"commercial welder's shop" means a welder's shop where there is carried on the business of welding auto parts, hand tools and other small wares and small parts including custom welding but not including welding of structural steel, railway equipment or large parts;

"common outdoor space" means any paved, sodded or landscaped area which:

(a) adjoins, and is directly accessible from, a street, park or other public area, a pedestrian walkway on a lot, or a pedestrian walkway within a building on such lot, provided that such walkway meets the criteria set out below:

(i) provide direct access between streets, parks, public buildings, and/or other public spaces or between any such space and a similar walkway in an adjacent building, a common outdoor space or a T.T.C. subway station;

(ii) are located within 5 metres of grade;

(iii) are no narrower than 3 metres at any point;

(iv) are not used for any commercial purposes, including hotel lobbies, retail areas, commercial display areas or other rentable space;

or is used for the purposes of one or more washrooms or sitting areas that have access to such walkways.

(b) is open to the sky or is covered by a structure or any portion of a building but not located within a building;

(c) is located within 2 metres of a grade and is accessible therefrom by means of a stair or ramp;

(d) is not narrower than 2.5 metres for an area covered by a structure, and not narrower than 3 metres for any other area; and

(e) is not used for the purposes of a driveway, vehicular ramp, loading or servicing area, outdoor storage area, motor vehicle parking area, or stairs or any portion thereof where the treads of such stairs are less than 1.5 metres in width.

"community centre" means a building used for community activities including, but not so as to restrict the generality of the foregoing, arts, crafts, physical, social, charitable and educational activities, and not used for any commercial purpose;

"community health centre" means a public clinic operated by or directly funded by a government agency or non-profit institution;

"contractor's shop, class A" means a wholly enclosed building of any building trade or other contractor where plant, equipment and material are stored or where such contractor performs shop or assembly work but does not include a contractor's shop, class B or a contractor's yard or any bulk storage of loose materials such as sand, gravel or concrete;

"contractor's shop class B" means a wholly enclosed building for the storage of heavy machinery such as cranes, ploughs, tractors, pile drivers, roadmaking, wrecker's or steel erector's equipment, and building and construction material, but does not include any bulk storage of loose materials such as sand, gravel or concrete;

"contractor's yard means the yard of any building trade or other contractor where plant, equipment and materials are stored including heavy machinery such as cranes, ploughs, tractors, pile drivers, roadmaking, wrecker's or steel erector's equipment and building and construction material, but does not include any bulk storage of loose materials such as sand, gravel or concrete;

"Corporation" means the Corporation of the City of Toronto;

"craft school" means an establishment other than a commercial school, which may be operated for hire or gain, where crafts such as sculpting, print making, weaving and pottery are taught;

"crisis care facility" means a temporary residence for persons requiring immediate shelter and assistance for a short period, and:

(a) such facility is supervised, or the members of the group are referred, by a hospital, court or government agency; or

(b) such facility is funded wholly or in part by any government, other than funding provided solely for capital purposes; or

(c) such facility is regulated or supervised under any general or special Act;

but does not include any use otherwise classified or defined in this by-law.

"custom workshop" means a building where there is carried on individual custom production of drapes and slip covers, venetian blinds, handmade leather goods, millinery, glass blowing, orthopaedic and prosthetic appliances, drug and medical prescriptions, weaving, awnings, metal plating, gold and silver engraving and other non-offensive, non-dangerous custom production of any article or thing but does not include any factory production or any shop or factory otherwise classified or defined in this by-law;

"dangerous" when used with reference to any use of any land, building or structure, means a use which, from its nature or from the manner of carrying on the same, creates or is liable to create, by reason of fire, explosion, toxic gases, fumes or otherwise howsoever, a danger to any person or property;

"data processing establishment" means a computer service firm engaged primarily in the use of computers to process data, and not primarily in the design or marketing of computer programmes;

"day nursery" means a place that receives, primarily for the purpose of temporary care and custody, for a continuous period not exceeding twenty-four hours, more than three children, not of common parentage, who are:

(a) under eighteen years of age in the case of a day nursery for retarded children; and

(b) under ten years of age in all other cases;

and that is not:

(c) part of a private school registered under The Ministry of Education Act, R.S.O. 1970, Chapter 111, as amended from time to time;

(d) a children's mental health centre under The Children's Mental Health Centres Act, R.S.O. 1970, Chapter 68, as amended from time to time;

(e) a school for trainable retarded children under The Secondary Schools and Boards of Education Act, R.S.O. 1970, Chapter 425, as amended from time to time; or

(f) a place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to Section 6b of The Ministry of Community and Social Services Act, R.S.O. 1970, Chapter 120, as amended from time to time;

"dressmaker's shop" means a building where the business of individual custom tailoring for females is carried on, including remodelling, hemstitching and buttonhole making, but does not include a shop where clothing manufacture other than individual custom tailoring for females is carried on;

"dry cleaner's distributing station" means a building used for the purpose of receiving articles or goods of fabric to be subjected to the process of dry-cleaning, dry-dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subject to any such process;

"dry-cleaning shop" means a building where the business of dry-cleaning and pressing articles or goods of fabrics is carried on on the ground floor by means of dry-cleaning machines or units and incidental equipment, the total capacity of all of which machines or units does not exceed 55 kilograms, dry weight;

(a) in which only non-inflammable solvents are or can be used; and

(b) which emit no odour or fumes, noise or vibration causing nuisance or inconvenience within or without the premises;

"duplicating shop" includes the business of producing letters, plans, pictures and documents by photostating, blueprinting, or other similar method;

"dwelling house" means a building occupied or capable of being occupied as the home or residence of one or more persons, either permanently or transiently, but does not include living quarters for a caretaker, watchman or other supervisor that are accessory to a non-residential building or structure;

"dwelling room" means dwelling accommodation consisting of not more than one habitable room, and may include either but not both culinary or sanitary conveniences, but does not include a room providing sleeping accommodation in a hotel or a room within a dwelling unit;

"dwelling unit" means a room or suite of two or more rooms designed or intended for use by one or more persons as living accommodation in which culinary and sanitary conveniences are provided for the exclusive use of such person or persons;

"eating establishment" means a building where food is offered for sale or sold to the public whether or not for immediate consumption therein and includes a restaurant, cafe, tea or lunch room, dairy bar, and refreshment room or stand;

family means one person or two or more persons who are interrelated by bonds of consanguinity, marriage or legal adoption, or a group of not more than five unrelated persons occupying, with or without one or more full-time domestic servants, a dwelling unit;

"film or recording studio" means a studio used for audio-recording, film-making or other audio-visual processes;

"frontage" means a lot line or part thereof which is also the limit of a street allowance more than 6 metres in width or is also the limit of a public park;

"fur goods factory" means a factory for the manufacture or processing of fur coats, stoles, mitts or other fur products, or hair, felt or other such product but does not include a tannery, whether complementary or not;

"garment factory" means a building for manufacture of garments or other clothing including knitted goods and other articles usually manufactured by the needle trades such as gloves, mittens, hats, caps, belts, regalia and society emblems, theatrical costumes, and other items of apparel not elsewhere defined or classified in this by-law;

"government office" includes a municipal office, court house, registry office, health or welfare centre, employment office, customs office or other such use for purposes of local or other government administration and includes offices used by the Government of Canada, the Government of Ontario, the Municipality of Metropolitan Toronto, the Corporation of the City of Toronto, a board, commission, authority or agency, excluding a post office, of any of them, the Metropolitan Toronto School Board, the Metropolitan Separate School Board, the Toronto Board of Education, and Ontario Hydro;

"grade" means the average elevation of the sidewalk or, where there is no sidewalk, of the roadway in front of the lot on which the building is or is to be erected;

"habitable room" means a room used or designed for use for human habitation but does not include a kitchen having a floor area of less than 9.5 square metres, a sunroom, a bathroom or a toilet room;

"height" means the vertical distance between grade and, in the case of a pitched roof building, the mean height level between the eaves and any ridge of such roof and, in the case of any other kind of roof, the highest point of such roof;

"home for the aged" means an institution to which The Homes for the Aged Act, R.S.O. 1950, Chapter 168, applies;

"hostel" means a building or part of a building that contains dwelling accommodation consisting of rooms without culinary facilities, but does not include a boarding or lodging house;

"hotel" means a building or part of a building that contains dwelling accommodation consisting of rooms without culinary facilities, but does not include a boarding or lodging house;

"industrial computer service" includes a computer pattern-grading marker making service bureau or any similar computer services engaged in providing computer facilities on a rental or time-sharing basis to industrial uses, but does not include any computer service which is not directly related to an industrial production process;

"laboratory, class A" means a laboratory, the operation or conduct of which is neither offensive or dangerous;

"laundry shop" means a building or part of a building in which the business of a laundry is carried on on the ground floor by means of one or more washers, having a total capacity not exceeding 100 kilograms dry weight, and drying, ironing, finishing and incidental equipment provided:

(a) only water and detergents are used;

(b) no odour, fumes, noise or vibration are emitted causing nuisance or inconvenience within or without the premises;

(c) the total non-residential gross floor area of all such uses does not exceed 250 square metres; and

(d) such use may include a dry cleaning shop, a dry cleaner's distributing station, and a self-service laundry;

"leather goods factory" means a factory for the manufacture or processing of leather belting, leather boot or shoe findings, boots, shoes, gloves or other leather goods but does not include a tannery or any tanning operation;

"loading space - type A" means a loading space with a length of at least 17.0 metres, a width of at least 3.5 metres and a vertical clearance of at least 4.3 metres;

"loading space - type B" means a loading space with a length of at least 11.0 metres, a width of at least 3.5 metres and a vertical clearance of at least 4.0 metres;

"loading space - type C" means a loading space with a length of at least 6.0 metres, a width of at least 3.5 metres and a vertical clearance of at least 3.0 metres, and

(a) is located at grade and situated so that it serves an entrance to the building erected or to be erected on the lot and is readily accessible via a driveway or laneway with a minimum vertical clearance of 3.0 metres connecting with a street abutting the lot on which the building or structure is located, or

(b) is located in the basement of such building on the first level below grade and situated so that it serves an elevator or similar lifting device serving the building and is readily accessible via a ramp, driveway or laneway with a minimum vertical clearance of 3.0 metres connecting with a street abutting the lot on which the building or structure is located;

"loading space - type G" means a loading space - type A or loading space - type B except:

(a) in the case of a loading space - type B the overall length of the space is at least 13.0 metres;

(b) in either case, the loading space has a vertical clearance of at least 6.0 metres over at least the first 8.0 metres of the loading space measured from the end of the loading space opposite the entrance to it, and a vertical clearance of at least 4.3 metres over the balance of the loading space;

(c) the floor of at least the first 2.0 metres of the loading space measured from the end of the loading space, opposite the entrance to it, is constructed of concrete and has a slope not exceeding 2 per centum (1 cm in 50 cm);

"lot" means a parcel of land except where two or more buildings or structures, exclusive of any accessory building or structure, are or are to be erected on a parcel of land, in which case each such building or structure, whether erected or to be erected simultaneously or at intervals, shall be assigned a defined part of the parcel at the time of application to the Commissioner of Buildings and Inspections for approval of the plans of the building or structure and each such part shall be deemed to be a lot; and where two or more buildings or structures have a common basement, whether or not they are also connected above the natural level of the ground, such buildings or structures shall be deemed to be one building;

(a) "lot lines" have the following meanings:

(i) "front lot line" means the line that divides a lot from the street provided that in the case of a corner lot the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that so abuts shall be termed the "flank" of the lot;

(ii) "rear lot line" means the lot line opposite the front lot line;

(iii) "side lot line" means a lot line other than a front lot line or rear lot line;

"market gardening" includes vegetable crops, and a horticultural nursery, nursery sales station and greenhouse;

"massage establishment" includes any premises or part thereof where massages are given, offered or solicited in pursuance of a trade or calling, business or occupation provided that the service is rendered by a person duly trained, licensed and registered under The Drugless Practitioner's Act, R.S.O. 1970, as amended from time to time;

"medical/dental office" means a building or portion thereof, other than a private residence, that is used for the offices of one or more practicing physicians, surgeons, dentists or other qualified medical practitioners or by one or more licenced chiropractors or osteopaths;

"miscellaneous light manufacturing plant" means a building for the manufacture or processing of brooms, brushes or mops, carpet sweepers, artificial flowers or feathers, fountain pens or pencils, artificial ice, jewelry cases or silverware cabinets, electric lamps or lamp shades, musical instruments, orthopaedic and prosthetic appliances, scientific and professional equipment, electric, neon and other signs, stamps and stencils, statuary, art goods and novelties, store display accessories, toys, umbrellas and any product of light manufacturing not otherwise classified or defined in this by-law;

"miscellaneous textile products factory" means a building for the manufacture of blankets, curtains, carpets, rugs, mats, tents, awnings, sails or parachutes, cordage, rope or twine, cotton or jute bags or any similar manufacture not elsewhere classified or defined in this by-law;

"miscellaneous vegetable products factory" means a factory for the manufacture of tires and hose or other articles from natural rubber or partly from natural and partly from synthetic rubber, or other vegetable products factory not otherwise classified or defined in this by-law, but does not include a pea-straw ensilage plant;

"mixed-use building" means, in the case of a building on a lot located in a CR district, a building containing a combination of any residential use together with any non-residential use which is permitted by this by-law in such district;

"mobile sign" means any illuminated sign, or any sign in which lighting is incorporated, that is not permanently affixed to a building nor mounted on a standard, posts, brackets or by any other method such as to be securely attached to or within the ground or to any hard-surfaced area covering the ground beneath such sign;

"motor vehicle repair shop, class A" means a public garage used as a motor vehicle repair shop, exclusive of the painting and repairing of bodies and fenders;

"municipal community centre" means a community centre managed and controlled by the Corporation;

"net floor area" means the total floor area exclusive of elevator shafts, stairs, ground floor lobbies, public pedestrian corridors and public washrooms;

"newspaper plant" means a building in which the publishing and printing of newspapers is carried on;

"non-profit institution" means an institution or organization incorporated as a non-profit corporation, but does not include a residential care facility or a crisis care facility;

"non-residential building" means, in the case of a building on a lot located in a CR or IC district, a building containing exclusively non-residential uses which are permitted by this by-law in such district;

"non-residential gross floor area" means in the case of a non-residential building, the aggregate of the areas of each floor above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor; or in the case of a mixed-used building, the aggregate of the areas of the parts of each floor used for non-residential purposes above and below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, or measured between such walls and the centre line of any interior wall of projection thereof which separates a non-residential use from a residential use, exclusive of the following areas:

(a) any room or enclosed area within the building or structure above or below grade which is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment, which service the building;

(b) loading facilities above or below grade required by subsection (6) of Section 4;

(c) any part of the building or structure above or below grade which is used for the parking of motor vehicles or any enclosed loading areas or for storage or other accessory use provided that such parking or loading, if located above grade, is located a minimum of 10.6 metres from any external wall of the building;

"nursery school" means a school where children of pre-kindergarten age are taught and cared for by the day or half-day;

"nursing home, convalescent home or rest home" means a building in which the proprietor supplies for gain lodging with or without meals and, in addition, provides nursing, medical or similar care and treatment, if required;

"offensive", when used with reference to any use of any land, building or structure, means a use which, from its nature, or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other material, a condition which may be or become hazardous or injurious as regards health or safety or which prejudices the character of the neighbourhood or interferes with or may interfere with the normal enjoyment of any land, building or structure;

"one-family dwelling house" means the whole of a dwelling house containing one dwelling unit only;

"open air market" means a lot where goods, wares, merchandise or any substance, article or thing is offered, kept or stored for retail sale but does not include any retail outlet otherwise classified or defined in this by-law;

"ornamental structure includes any ornamental fountain or other such structure, any statue, monument, cenotaph or other memorial except a mausoleum or columbarium;

"owner" when used in reference to a lot means a person who owns the fee simple or the equity of redemption in the lot, or a person who owns a leasehold estate in the lot the unexpired term of which or right to renewal exceeds 45 years, and includes a person who is authorized in writing to act by the owner of the lot on his behalf;

"paper products factory" means a factory for the manufacture or processing of paper boxes, bags, drinking cups, sales books, excelsior, corrugated paper products or other paper products, including building paper, asphaltic composition roofing and saturated paper but does not include a rag mill, paper mill, pulp mill, or shoddy mill;

"parking lot" means a public garage where motor vehicles are temporarily parked or stored for hire or gain;

"parking space" means an unobstructed area at least 5.9 metres in length, and at least 2.6 metres in width and which is entered by means of a driveway or passageway having a minimum unobstructed width of 5.5 metres;

"parking station" means a lot or part of a lot, having a properly drained hard surface and abutting on a highway or on a hard-surfaced driveway giving access to a highway, where motor vehicles, other than the stock of a motor vehicle dealer, may be temporarily parked or stored without charge as an accessory use to a residential building or non-residential building or a mixed-use building in a CR or IC district provided that:

(a) any lights used for illumination are so arranged as to divert the light away from adjacent premises;

(b) steel guard rail fencing is erected and maintained adjacent to all parts of any boundary of such lot which abut a street, other than parts thereof comprising entrances and exits to or from such lot;

(c) a fence is erected and maintained adjacent to all parts of any boundary of such lot which abut a lot, the principal use of which is the permanent or temporary home, residence or place of abode of one or more persons, and concrete wheel stops are erected and maintained on the parking station lot so as to prevent a motor vehicle being parked closer to such fence than .90 metres; and

(iv) any such fence, if a division fence, is constructed of boards placed as close together as possible and erected to a height of 1.67 metres and, if not a division fence, is constructed of boards in a basket-weave pattern or masonry to a height of 1.67 metres;

"personal recreation space" means recreation space within or outside of a building located adjacent to and directly accessible from a dwelling unit or dwelling room, which is provided for the exclusive use of the occupants of the dwelling unit or dwelling room, and includes a private patio, courtyard, garden, terrace, balcony or enclosed balcony;

"personal grooming establishment" means a barber shop, hairdressing establishment, beauty parlour or institute, shoe shine shop or an establishment providing other forms of personal grooming including make-up, manicure, pedicure, facials, tanning, electrolysis including counselling in respect of such grooming;

"pet shop" means a shop or place where animals or birds for use as pets are sold or kept for sale or groomed, but does not include a shop or place for the breeding or overnight boarding of pets;

"pharmaceutical factory" means a factory for manufacturing perfumes, cosmetics, toilet preparations, deodorants, soaps or cleaning compounds, bleaches, patent medicines, disinfectants, or insecticides, or poisons that are manufactured and packaged for medical or pharmaceutical purposes only;

"pinball or electronic game machine establishment" means that portion, or the aggregate of those portions of premises of the following classes of uses, that contain pinball or other mechanical, electric or electronic game machines operated for gain, provided that such machines are installed not otherwise than within premises containing one of the uses listed below and in numbers not in excess of the numbers specified and in no case shall the number of machines permitted exceed 10:

USE	NUMBER OF MACHINES
a billiard or pool room	1 less than the number of billiard or pool tables (to a MAXIMUM of 10)
a club	1 per 10 square metres (to a MAXIMUM of 10)
a tavern or public house	5% of the licenced occupant load (to a MAXIMUM of 10)
an arena, a roller-rink, a theatre, a dance hall	per 10 square metres to a MAXIMUM of 10)
a retail variety store, a personal grooming establishment, a self-service laundry, a donut shop	two (2)

And, except where such machines are located in a retail variety store, a personal grooming establishment, a self-service laundry or a donut shop, the building containing such pinball or electronic game machine installation is located no closer than 45.72 metres to any lot containing a public school;

"place of amusement" means an arena; auditorium; billiard or pool room; bowling alley; motion picture or other theatre located in a building or portion of a building originally constructed for such purpose; public hall for use principally for one or more of the following: lectures, fraternal, charitable or social organizations, art exhibits, concerts, live theatre, other displays or performance of a cultural nature, banquets or receptions, provided such public hall is located in a building or portion of a building originally constructed for such purpose; and any of the following uses, where located in a building, to be allowed only in a building or portion of a building originally constructed for such purposes: carnival show, circus, exhibition, golf-driving tee, archery range, ice or roller skating rink, merry-go-round, miniature or switchback railway, roller coaster or other mechanical ride or device, miniature golf course, trained animal show, wild west show, racetrack for horses or dogs; provided however that a motion picture or other theatre, and a public hall, shall be permitted uses, and shall not be required to be located in a building or portion of a building originally constructed for such purpose;

"place of assembly" means a theatre or concert hall, an auditorium, an arena, a stadium, an athletic field, or other premises of like nature designed for entertainment or amusement, but does not include a church;

"plastic products factory" means a factory for manufacturing plastic products but does not include the manufacture of celluloid or pyroxilin or any offensive or dangerous use;

"playlot" means a lot used for the purposes of a non-profit playlot for children under the age of seven years and managed and controlled by the Corporation or by a neighbourhood association, church or other similar organization;

"post office" means premises whether operated by the Government of Canada or not, where letters or parcels may be posted, or where postage stamps may be purchased, but does not include any sorting or distribution of mail;

"prepared horn or bone products factory" means a factory for the manufacture of horn or bone products from previously prepared material;

"printing plant" means the business of engraving, stereotyping, electro-typing, printing or typesetting, including a lithographer, but does not include a newspaper plant or duplicating shop;

"private academic, philanthropic or religious school" means a school, other than a public school, where academic subjects are taught or which is maintained for philanthropic or religious purposes and whether the same is also a boarding school or not, and includes a dormitory building appurtenant to any such school but does not include any school or home otherwise classified or defined under this by-law;

"private art gallery" means an art gallery for the public or private exhibition of collections of paintings and other works of art, whether by the proprietor or others and whether or not the same are for sale;

"private garage" means a building or carport, not over one-storey or 4 metres in height, that is used for sheltering not more than three private passenger motor vehicles and in which:

(a) no service for profit is rendered; and

(b) space for not more than two such vehicles is rented, and which, in the case of a carport, is an open-sided shelter having a floor area not exceeding 28 square metres and having located therein and constructed as an integral part thereof a fully enclosed shed, the area of which is not less than 2 square metres and not more than 4.5 square metres;

"psychiatric hospital" means an institution to which The Psychiatric Hospitals Act, R.S.O. 1950, Chapter 301, applies;

"public art gallery" means a building used for the preservation or exhibition of collections of paintings or other works of art and devoted primarily to the recreation or education of the public;

"public garage" means any building or place with respect to which a public garage or automobile service station licence may be required by by-law under The Municipal Act, R.S.O. 1950, Chapter 243;

"public hospital" includes such appurtenant buildings as laboratories and nurses' residences; but does not include:

(a) a sanatorium, within the meaning of The Sanatoria for Consumptives Act, R.S.O. 1950, Chapter 346;

(b) a sanitarium for mental defectives or any institution in respect of which a licence under The Private Sanitaria Act, R.S.O. 1950, Chapter 290, is in force;

(c) a mental hospital within the meaning of The Mental Hospitals Act, R.S.O. 1950, Chapter 229; or

(d) an institution for the reclamation and care of habitual drunkards or any other institution for the care, treatment or education of drug or drink addicts or the insane or of persons suffering from psychiatric disabilities or from mental or nervous diseases or disorders.

"public library" means a library, branch library or distributing station to which the provisions of The Public Libraries Act, R.S.O. 1950, Chapter 310, apply;

"public museum" means a public museum within the meaning of The Mortmain and Charitable Uses Act, R.S.O. 1950, Chapter 241;

"public park" means land which is used for public recreation and which is owned by or leased to a government or a government authority or agency;

"public playground" means a lot used for the purposes of a non-profit playground or skating rink and managed and controlled by the Corporation;

"public school" means a public or separate school, a high school, a continuation school, a technical school, a vocational school, a college or university or any other school established and maintained at public expense whether the same is also a boarding school or not, and includes a dormitory building appurtenant to a public school but does not include a branch of The Conservatory of Music or any home or school otherwise classified or defined in this by-law;

"Railway Lands" means that part of the City of Toronto located within the area delineated and designated by heavey lines on Map 1 contained in Appendix A to this by-law and referred to thereon as "Railway Lands";

"recreation space" means an area or areas within a lot provided exclusively for the use of the residents of a residential building or a mixed-use building located on such lot, for the purpose of personal recreation space or shared recreation space;

"residential building" means, in the case of a building on a lot located in a CR district, a building containing exclusively residential uses which are permitted by this by-law in such district;

"residential gross floor area" means in the case of a residential building, the aggregate of the areas of each floor above and below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor; or in the case of a mixed-use building, the aggregate of the areas of the parts of each floor used for residential purposes above and below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, or measured between such walls and the centre line of any interior wall or projection thereof which separates a residential use from a non-residential use, exclusive of the following areas:

(a). any room or enclosed area within the building or structure above or below grade which is used exclusively for the accommodation of heating, cooling, ventilating, electrical or telecommunications equipment, which service such building; and

(b). any part of the building or structure above or below grade which is used for the parking of motor vehicles or for loading facilities provided that such parking or loading facilities, if located above grade, is a minimum of 10.6 metres from any external wall of the building, or for storage or other accessory use;

"residential care facility" means a residence for the accommodation of six to ten persons, exclusive of staff, who by reason of their emotional, mental, social or physical condition or legal status require a group living arrangement for their well-being; and:

(a) such facility is supervised, or the members of the group are referred, by a hospital, court or government agency; or

(b) such facility is funded wholly or in part by any government, other than funding provided solely for capital purposes; or

(c) such facility is regulated or supervised under any general or special Act;

but does not include any use otherwise classified or defined in this by-law;

"retail store" means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such store but does not include any retail outlet otherwise classified or defined in this by-law;

"row housing" means a series of more than two attached one-family dwelling houses;

"sales or hire garage" means a public garage where motor vehicles and/or trailers are hired or kept or used for hire, or where motor vehicles and/or trailers are stored or kept for sale or a used motor vehicle lot;

"sample or showroom" means a building where samples or patterns are displayed and orders taken for goods, wares and merchandise for future delivery and includes the display room of a wholesale merchant;

"secondary" where applied to an industrial use means that such use is restricted to the assembly or manufacture of previously processed materials and does not include the processing or combining of materials that alter the structure of the material;

"security service" means an establishment engaged in providing personnel for security purposes;

"senior citizens housing" means dwelling units:

(a) which have a floor area not in excess of 51 square metres each; and

(b) which are erected on land which is the subject of a mortgage or charge made pursuant to The National Housing Act, R.S.C. 1970, c. N-10, as amended, or a successor thereof; and

the maintenance, operation and other costs of the development of which are the subject of an agreement made pursuant to The Housing Development Act, R.S.O. 1970, c. 213, as amended, The Ontario Housing Corporation Act R.S.O. 1970, c. 317, as amended, or successors of such Acts, under which grants in aid are to be paid and under which such dwelling units are to be leased to persons whose age is not below the minimum age specified in such agreement;

"service or repair shop" means a shop, not otherwise classified or defined in this by-law for servicing or repairing radio and television receivers; vacuum cleaners, refrigerators, washing machines, sewing machines and other domestic appliances; furnaces and oil burners; musical instruments; sound and public address systems; water coolers and domestic water heaters, domestic boilers, water softening equipment and plumbing fixtues and equipment; hosiery, cameras, dolls, jewelry, watches, clocks, safes and locks, bicycles, wheel chairs, orthopaedic and prosthetic appliances; restaurant and soda fountain equipment; and any other like articles; or for fabric mending, window glazing, metal replating, mirror resilvering, or manually repairing, painting and refinishing furniture and other household goods; and includes a key shop, a hat cleaner's shop, a custom picture framing shop, the regular place of business of a master electrician or plumber, the business of renting pianos, tents, canopies, chairs, wheel chairs, coin machines, costumes, uniforms, bicycles, sound and public address systems, and other like articles and equipment;

"shared recreation space" means recreation space provided within or outside a building for the use of the residents of such building for recreational or social purposes, and includes a landscaped area, a garden, a terrace, an outdoor swimming pool, an outdoor games or play area, a tot lot, a covered sitting area, an indoor swimming pool, a sauna, a shower and change room, an exercise room, a hobby room, a workshop, a lounge or a meeting room;

"single persons housing" means dwelling units not exceeding a floor area of 37 square metres each, where the average floor area of all such units in a building does not exceed 30 square metres, which units are occupied or available for occupancy by individuals.

"small metal wares factory" means a factory for forming, stamping, spinning, machining, buffing, plating, coating, annealing or other fabrication or processing of ferrous or non-ferrous small wares or small parts, including cutlery, flatware, hollow ware, small springs, coat hangers, small auto parts, light carpenter's or garden hand tools, light electrical equipment, jewelry or other small wares or small parts but does not include a casting factory and a die-casting factory or the manufacture of bronze powder or other similar grinding process;

"spotting and stain removing establishment" means a building where the business of removing dirt, grease, or other stain or soil from clothing or other articles is carried on by means of manual application of cleaning solvent to such clothing or articles, and includes the pressing of such clothing or articles;

"storage warehouse, class A" means a building or structure for the storage of any non-offensive, non-dangerous goods, wares, merchandise, substance, article or thing and includes the premises of a warehouseman as defined by The Warehousemen's Lien Act, R.S.O. 1950, Chapter 417, but does not include any warehouse or storage otherwise classified or defined in this by-law;

"street" means a public highway or private thoroughfare and includes any highway established under the City of Toronto Act, 1971;

"street related retail and service uses" means in the case of a lot located in a CR district one or more of the shops or stores referred to in subparagraph 8 of Part I of subsection (3) of Section 6, and in the case of a lot located in an IC district one or more of the shops or stores referred to in subparagraph (4) of Part I of subsection (3) of Section 7 provided that:

(a) a principal entrance of any such shop or store is located in the exterior wall of the building, and is directly accessible by pedestrians walking along a route having a distance of not more than 5 metres from:

  (i) a frontage of the lot which such shop or store is located; or

  (ii) a building setback line on the lot on which such shop or store is located, provided that the line is established by this By-law, as amended from time to time;

(b) a principal entrance of any such shop or store is located no more than 2 metres above or below grade;

"tailor's shop" means a building where the business of individual custom tailoring is carried on but does not include a shop where clothing manufacture other than individual custom tailoring is carried on;

"tavern" and "public house" mean, respectively, a tavern and public house as defined by The Liquor Licence Act, R.S.O. 1950, Chapter 211,

"tinsmith's shop" includes a shop where light power machinery may be used for custom tinsmithing or other custom fabrication of sheet metal but does not include any shop where there is carried on any factory production of articles by power machinery;

"total floor area" means, the aggregate of the areas of each floor of a building or structure above and below garde used for the purpose of a particular use, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, or measured between such exterior faces and the centre line of any interior wall or projection thereof which separates such use from another use, exclusive of the following areas:

(a) any room or enclosed area within the building or structure above or below grade that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment, which services the building;

(b) any part of the building or structure below grade which is used for storage; and

(c) any part of the building or structure used for parking facilities or loading facilities;

"trade school" means a school other than a commercial school conducted for hire or gain which teaches subjects related to industrial trades such as technical design skills, mechanical design or drafting, carpentry, or electrical skills;

"undertaker's establishment" means the business premises of an undertaker or funeral director whether or not the same includes a crematorium or a school of instruction in embalming or preparation for burial of human remains;

"union hall" means premises operated by a labour union for union activities, such as union business, school and educational activities;

"university residence" means a building or part of a building which is owned or operated by a university or polytechnical institute, that contains dwelling accommodation consisting of dwelling rooms which do not include individual culinary facilities, whether or not shared culinary facilities are provided in such building;

"wholesaling establishment - general" means a building where any non-offensive, non-dangerous goods, wares, merchandise, substance, article or thing are offered for sale on a wholesale basis, but does not include any wholesale activity otherwise classified or defined in this by-law;

"wholly enclosed" when applied to industrial use, means that such use (including any loading facilities) shall be carried on entirely within an enclosed building;

SECTION 3 - DISTRICTS

(1) For the purpose of this by-law and of the maps contained in Appendix 'B' hereto, herein referred to as "District Maps", the following classes of use district, volume area, residential density zones, commercial, institutional and industrial density zones and non-residential density zones are hereby established, namely:

Parks District - G

Transportation District - T

Commercial-Residential Districts - CR

Industrial-Commercial Districts - IC

Holding District - h (   )

Residential Density Zones - U200, U250, U300, U350, U480, U580, U600, U750

Commercial, Institutional and Industrial Density Zones - L0.25, L0.5, L2.0, L3.0, L3.5, L4.5, L7.8, L8.0, L9.0

Commercial and Institutional Density Zones - N2.5, N4 and N7

Non-Residential Density Zones - D4, D7

(2) The buildings and structures and uses of buildings, structures and lots permitted by this by-law in such districts may be referred to as: G buildings, G structures, G uses, T buildings, T structures, T uses, h buildings, h structures, h uses, CR buildings, CR structures, CR uses, IC buildings, IC structures, IC uses, the buildings, structures and uses of buildings, structures and lots specifically named in Sections 5 to 9, inclusive, respectively may be referred to as G, T, h, CR and IC buildings, structures, uses, respectively; and the expressions "G district", "T district", " h district", "CR district", "IC district", "U200 zone", "U250 zone", "U300 zone", "U350 zone", "U480 zone", "U580 zone", "U600 zone", "U750 zone", "L0.25" zone, "L0.5 zone", "L2 zone", "L3 zone", "L3.5 zone", "L4.5 zone", "L7.8 zone", "L8 zone", "L9 zone", "D4 zone", "D7 zone", "N2.5 zone", "N4 zone" "N7 zone" whenever used in this by-law, mean respectively an area of the Railway Lands delineated on a District Map and designated thereon by the symbols "G", "T", "h", "CR", "IC", "U200",

"U250", "U300", "U350", "U480", "U580", "U600", "U750", "L0.25", "L0.5", "L2", "L3", "L3.5", "L4.5", "L7.5", "L7.8", "L8", "L9", "D4", "D7", "N2.5", "N4" and "N7".

(3) The Railway Lands are hereby divided into the use districts delineated on the District Maps aforesaid, the height districts delineated on the maps contained in Appendix C hereto which maps and the information shown thereon shall form part of this by-law to the same extent as if included herein.

(4) Where any uncertainty exists as to the boundary of any use or height district shown in Appendix B and C to this By-law, the following provisions shall apply:

(a) Notwithstanding that street alignments may not be finalized at the passing of the By-law, where a use district boundary is indicated as following a street line, the boundary shall be the centre line of such street as finally established by plan. The creation and location of streets as identified on Appendix B and C to this By-law will not require an amendment to this By-law;

(b) Where a use district boundary is not shown to be a street line by Appendix B to this By-law, boundaries are interpreted as following development blocks and lots as established by such boundaries as ownership lines and rail corridors as established by registered or reference plans;

(c) Where a district boundary is indicated by a specified distance, such boundary shall be construed as a minimum dimension unless otherwise specified.

SECTION 4 - REGULATIONS APPLYING TO ALL USE DISTRICTS

(1) USES AND BUILDINGS TO CONFORM WITH BY-LAW

No person shall, within any district of the Railway Lands delineated on any District Map, Height Map or General Map, use any land or erect or use any building or structure except in conformity with the provisions of this by-law respecting the district or area in which such land, building or structure is located or respecting the district in which it is proposed to erect the building or structure.

(2) REDUCTION OF LOT - ENLARGEMENT OF BUILDING - CONSEQUENT NON-COMPLIANCE

(a) No lot shall be so reduced in area, either by the conveyance or other alienation of any part thereof or otherwise, that the the non-residential gross floor area or the number of dwelling units per hectare contained in any building or structure thereon will exceed or the recreation space or common outdoor space will be less than that prescribed for the district in which the lot is located or in the case of a CR building, that the windows of a dwelling unit or dwelling room contained in a building or structure on the lot will be located closer to the lot line of the lot so reduced than compliance with subsections 1. and 2. of Part III of subsection (3) paragraph(s) of Section 6 permits. For greater certainty it is hereby declared that no such conveyance or alienation is prohibited so long as the building remains one building, either within the meaning of the definition of the word lot or otherwise.

(b) If any such reduction is made or occurs, no person shall thereafter use any building or structure on the lot until the applicable non-residential gross floor area or number of dwelling units per hectare, recreation space or common outdoor space, external wall spacing and/or the lot line setback requirements, as the case may be, are complied with.

(c) No recreation space, or common outdoor space or part thereof, of any lot and no part of any lot unoccupied by any building or structure by reason of the operation of subsections 1. and 2. of Part III of subsection (3) of Section 6 shall be used in computing the external wall spacing or lot line setback requirements of an adjacent lot or in computing the non-residential gross floor area or number of dwelling units per hectare of any building or structure to be erected on an adjacent lot.

(d) None of the provisions of this by-law shall apply to prevent the reduction in the area of a lot by the conveyance, alienation, or dedication of any part thereof for public highway purposes or for a public park with the result that the non-residential gross floor area, or number of dwelling units per hectare contained in a building or structure erected or to be erected on such lot exceeds the maximum area or number prescribed by this by-law for the district in which the lot is located, provided that such public highway or public park is not shown on the District Maps contained in Appendix B hereto;

(e) Notwithstanding any other provisions of this By-law the area of lands shown on Map 1 in Appendix D may be used in calculating the non-residential gross floor area or number of dwelling units per hectare on a lot on the opposite side of the street directly opposite such lands.

(3) HEIGHT LIMITS - BUILDINGS AND STRUCTURES

(a) No person shall erect or use a building on any lot having a greater height in metres above grade than the height limit specified by the numbers following the symbol "H" as shown on the Height Map for the height district in which the lot is located, provided that none of the provisions of this paragraph shall apply to prevent the erection or use of:

(i) any stair tower, elevator shaft, chimney stack or other heating, cooling or ventilating equipment or window washing equipment located on the roof of such building or any fence wall or structure enclosing such elements, provided:

A. the maximum height of the top of such elements or enclosure is no higher than the sum of 5 metres plus the height limit applicable to the lot;

B. the aggregate horizontal area of such elements, including the area contained within any enclosure, measured at any point above the level of the said height limit, does not exceed thirty (30) per cent of the area of the roof of such building; and

C. the width of any such elements, including the width of any enclosure, located within 6 metres of a lot line that is a street line, does not exceed twenty (20) per cent of the width of the main wall of the building facing such lot line, provided that such width is to be measured parallel to such lot line;

(ii) any structure, located on the roof of such building, used for outside or open air recreation, safety or wind protection purposes, provided:

A. the maximum height of the top of such structure is no higher than the sum of three metres plus the height limit applicable to the lot;

B. no part of such structure is located less than two metres from any adjacent outside wall or any vertical projection of such wall; and

C. such structure does not enclose space so as to constitute any form of penthouse or other room or rooms;

(b) Notwithstanding the provisions of paragraph (a), a building or structure erected on a lot that has a lesser or greater height in metres above grade than that permitted by paragraph (a) may be used for any purpose or purposes permitted in the district in which the lot is located, provided that:

(i) such building or structure was lawfully erected on the lot on the date of the passing of this by-law; and

(ii) the height of such building or structure does not reduce or exceed its height on the said date.

(4) ENTRANCES AND EXITS: SLOPES AND WIDTHS

(a) No person shall, except on a lot containing row housing, construct or use any driveway or passageway intended for motor vehicles where any portion of the surface of such driveway or passageway within a distance of 6 metres of a street line is at an elevation higher than 0.30 metres above, or at an elevation lower than 0.30 metres below, the average elevation of the portion of the street abutting such driveway or passageway, and the lateral boundaries of such driveway or passageway shall, within such distance of 6 metres be constructed at right angles to the street.

(b) Subject to paragraph (a), no person shall construct or use, other than any lot containing row housing, any driveway or passageway intended for motor vehicles having any portion thereof inclined at a slope of greater than 3 metres vertical to each 20 metres horizontal (15%).

(c) Any motor vehicle entrance to or exit from a building or structure which leads to a parking facility containing two or more parking spaces or to any loading facilities and which entrance or exit is located in a wall facing a street shall have a minimum width of:

(i) where the wall abuts the street line, 5.2 metres; or

(ii) where the wall is located 6.0 metres or more from the street line, 3.0 metres;

(iii) where the wall is located less than 6.0 metres from the street line, (3.0 + y) metres, where:

$$\frac{y\ \text{metres}}{2.2\ \text{metres}} : \frac{6.0\ \text{metres} - (\text{distance of wall from the street in metres})}{6.0\ \text{metres}}$$

(5) PARKING SPACES: WHEN REQUIRED, NUMBER, LOCATION AND TYPE

(a) The provisions of this subsection shall apply to the owner or occupant of any building or structure to be erected or used within the area to which this By-law applies.

(b) Subject to paragraphs (c) to (m), inclusive, the owner or occupant of every building or structure or one or more portions thereof to be erected or used for any purpose listed in the column entitled "Type of Use" shown in Schedule 1 following subsection (6) set forth shall provide and maintain motor vehicle parking facilities at least to the extent of the number of parking spaces in respect of each purpose as is prescribed in the column entitled "Minimum Required" shown in the aforesaid Schedule 1, but no person shall provide or maintain motor vehicle parking facilities containing a greater number of parking spaces than that set out opposite such purpose in the column entitled "Maximum Permitted".

(c)(i) In every case in which one or more parking spaces are required to be provided and maintained pursuant to paragraph (b) in respect of a building or structure or one or more portions thereof to be erected or used for more than one of the purposes listed in the column of the aforesaid Schedule 1 entitled "Type of Use", the minimum number of parking spaces which shall be provided and maintained in respect of the entire building or structure shall be the greatest of the aggregate gross minimum numbers of parking spaces for the morning, afternoon and evening periods determined in accordance with sub-paragraph (ii) of this paragraph.

(ii) For the purposes of sub-paragraph (i), in determining the greatest of the aggregate gross minimum numbers of parking spaces for the morning, afternoon and evening periods, the following rules shall be applied:

A. the minimum number of parking spaces which are to be provided and maintained in respect of each purpose for which each portion of the building or structure in question is to be erected or used shall be determined by identifying each of such purposes in the column entitled "Type of Use" shown on the aforesaid Schedule 1, then by ascertaining the minimum number of parking spaces for each of such purposes from the column entitled "Minimum Required" shown on the aforesaid Schedule 1, and the minimum numbers of parking spaces so determined are the gross minimum numbers of parking spaces to be provided and maintained in respect of each of such purposes;

B. the occupancy rates for each of the purposes referred to in clause A for the morning, afternoon and evening periods, respectively, shall be ascertained from the column entitled "Occupancy Rate" shown on the aforesaid Schedule 1, and the gross minimum numbers of parking spaces to be provided and maintained in respect of each of the purposes for the building or structure in question determined pursuant to clause A shall be multiplied by the applicable occupancy rates to produce the gross minimum numbers of parking spaces for each of such purposes for the morning, afternoon and evening periods, respectively;

C. the gross minimum numbers of parking spaces for each of the purposes referred to in clause A, for each of the morning, afternoon and evening periods, respectively, shall be added to produce the aggregate gross minimum numbers of parking spaces for the building or structure to be erected or used for each of the morning, afternoon and evening periods, respectively; and

D. the greatest of the aggregate gross minimum numbers of parking spaces for the morning, afternoon and evening periods shall be determined.

(iii) Where the purpose or purposes for which a building or structure under sub-paragraph (i) is proposed to be used includes dwelling accommodation in respect of which the aforesaid Schedule 1 requires residents' parking, the lesser of:

A. the number of parking spaces resulting from the application of sub-paragraph (i) or,

B. the number of residents' parking spaces involved in the calculation of parking in respect of the proposed use of the building or structure under sub-paragraph (i),

shall be provided and maintained solely for such dwelling accommodation and designated as such by one or more clearly visible signs.

(d)(i) In every case in which one or more parking spaces are required to be provided and maintained pursuant to paragraph (b) in respect of a building or structure or one or more portions thereof to be erected or used for more than one of the purposes listed in the column entitled "Type of Use" shown on the aforesaid Schedule 1, the maximum number of parking spaces which may be provided and maintained in respect of the entire building or structure shall be the greatest of the aggregate gross maximum numbers of parking spaces for the morning, afternoon and evening periods determined in accordance with sub-paragraph (ii) of this paragraph.

(ii) For the purposes of sub-paragraph (i), in determining the greatest of the aggregate gross maximum numbers of parking spaces for the morning, afternoon and evening periods, the following rules shall be applied:

A. the maximum numbers of parking spaces which are to be provided and maintained in respect of each purpose for which each portion of the building or structure in question is to be erected or used shall be determined by identifying each of such purposes in the column entitled "Type of Use" shown on the aforesaid Schedule 1, then by ascertaining the maximum numbers of parking spaces for each of such purposes from the column entitled "Maximum Permitted" shown on the aforesaid Schedule 1, and the maximum numbers of parking spaces so determined are the gross maximum numbers of parking spaces to be provided and maintained in respect of each of such purposes;

B. the occupancy rates for each of the purposes referred to in paragraph A for the morning, afternoon and evening periods, respectively, shall be ascertained from the column entitled "Occupancy Rate" shown on the aforesaid Schedule 1, and the gross maximum numbers of parking spaces to be provided and maintained in respect of each of the purposes for the building or structure in question determined pursuant to paragraph A shall be multiplied by the applicable occupancy rates to produce the gross maximum numbers of parking spaces for each of such purposes for the morning, afternoon and evening periods, respectively;

C. the gross maximum numbers of parking spaces for each of the purposes referred to in paragraph A, for each of the morning, afternoon and evening periods, respectively, shall be added to produce the aggregate gross maximum numbers of parking spaces for the building or structure to be erected or used for each of the morning, afternoon and evening periods, respectively; and

D. the greatest of the aggregate gross maximum numbers of parking spaces for the morning, afternoon and evening periods shall be determined.

(e) None of the provisions of this subsection shall apply to require the owner or occupant of a building or structure lawfully erected on the date of the passing of this By-law, or which may be lawfully erected pursuant to a building permit issued prior to such date, to provide motor vehicle parking facilities in respect of the use of the building for a non-residential purpose which is different from the use of the building prior to such date, provided:

(i) the minimum number of parking spaces that would be required by this subsection is greater than the number of parking spaces legally required or actually provided or to be provided pursuant to the aforesaid permit, whichever is the greater, in respect of the building or structure before the change in use; and

A. such number of parking spaces is maintained; and

B. the first storey of the building at, above or below grade on the aforesaid date occupied or could have occupied pursuant to the aforesaid permit more than 75 per cent of the area of the lot; or

(ii) the maximum number of parking spaces that would be permitted by this subsection is less than the number of parking spaces legally required or actually provided or to be provided pursuant to the aforesaid permit, whichever is the greater, in respect of the building or structure before the change in use and no additional parking spaces are provided.

(f) The parking spaces required by this subsection shall be provided and maintained in the location and in the type of parking facility applicable to the purpose or purposes for which the building or structure is to be erected or used, such parking facility and the location thereof being prescribed in the column of the aforesaid Schedule 1 entitled "Type and Location of Parking Facility".

(g) Where the calculation of the number of parking spaces required to be provided and maintained by this subsection results either in a fraction of a parking space, or in a whole number of parking spaces and a fraction of a parking space, such fraction if equal to or greater than 0.5 shall be taken to be 1.0 and added to the whole number of the parking spaces required to be provided and maintained, and if such fraction is less than 0.5 it shall be excluded from the determination of the number of parking spaces which are required to be provided and maintained in respect of the building or structure to be erected or used.

(h) The visitors' parking spaces required to be provided and maintained pursuant to this subsection in respect of a building to be erected or used for residential purposes only shall be reserved at all times for visitors to the building and shall be individually designated by means of clearly visible signs as being for the exclusive use of visitors to the building, and all driveways or passageways leading from the street to visitors' parking facilities shall have the way there designated by means of clearly visible signs.

(i) Ingress and egress to and from parking facilities required by this subsection in respect of a building or structure other than row housing shall be provided by unobstructed driveways or passageways having a minimum width of 3.5 metres for one-way operation and a minimum width of 5.5 metres for two-way operation.

(j) For the purposes of this subsection, the expression "parking space" has the same meaning as provided in Section 2 of this By-law.

(k) Where land, buildings or structures are to be erected or used for a purpose (the "subordinate purpose") which is normally incidental, subordinate and devoted to another purpose (the "principal purpose") for which such lands, buildings or structures are to be erected or used, the subordinate purpose shall be deemed to be part of the principal purpose.

(l) Notwithstanding the foregoing provisions of this subsection, none of such provisions shall apply to require the minimum number of motor vehicle parking facilities in respect of any use set out in the column of the aforesaid Schedule 1 entitled "Type of Use" commencing with a retail store to and including a variety or smoke shop if such use is located in a building having a non-residential gross floor area not exceeding 1.0 times the area of the lot.

(m) Notwithstanding the provisions of this subsection, where a mixed-use building or a CR building having dwelling units in the upper portion thereof have fewer than 25 dwelling units, not less than one-third of the aggregate of the parking spaces required to be provided and maintained pursuant to the foreging provisions of this subsection shall, in lieu of being provided and maintained as required by such provisions, be provided and maintained in respect of all the purposes for which such building is to be erected or used, and none of the parking spaces comprising the aforesaid one-third of the aggregate shall be assigned by the use of any sign, symbol or other means for the exclusive use of any individual or group, and no sign, symbol or other form of legend shall be posted within or at the entrance to the parking facility comprising such parking spaces which purports to restrict access to or the use of such parking spaces contrary to this subsection.

(6) LOADING AREAS: WHEN REQUIRED, SIZE AND LOCATION

(a) The provisions of this subsection shall apply to the owner or occupant of any building or structure to be erected or used in the area to which this by-law applies.

(b) Subject to paragraphs (c) to (g), inclusive, the owner or occupant of every building or structure to be erected or used on a lot equal to or greater than 1 000 square metres in area for any one or more of the purposes listed in the column entitled "Type of Use" on Schedule 1 appearing at the end of this subsection shall provide and maintain within such building or structure or on the lot, on land that is not part of a highway, laneway or driveway, loading facilities comprising the number and type of loading spaces, or loading areas, as the case may be, at least to the extent prescribed in respect of such purpose or purposes in the column entitled "Number of Loading Spaces Required", or in the column entitled "Square Metres of Loading Area Required", as the case may be, provided that any loading area required in respect of a purpose or purposes to which either Table 7 or Table 8 of Schedule 1 is applicable shall have a minimum width of 3.5 metres and a minimum vertical clearance of 4.3 metres.

(c) Where only one of Tables 1 to 8, inclusive, shown on the aforesaid Schedule 1 applies in respect of all of the purposes for a building or structure to be erected or used, the loading facilities required to be provided and maintained pursuant to the preceeding paragraph shall be determined either on the basis of the total number of dwelling units, if the aforesaid Table 1 applies or, if one of the aforesaid Tables 2, 3, 4, 5, 6, 7 or 8 applies, on the basis of the aggregate total floor area to be erected or used for the particular purposes.

(d) Where a building or structure, or one or more portions thereof, is to be erected or used for more than one of the purposes listed in the column of Schedule 1 entitled "Type of Use" and more than one of Tables 2 to 8, inclusive, shown on the aforesaid Schedule 1 applies, the loading facilities required to be provided and maintained pursuant to paragraph (b) shall be determined on the basis of the aggregate total floor area to be erected or used for the particular purposes to which each of the aforesaid Tables 2, 3, 4, 5, 6, 7 and 8, respectively, apply, provided that:

(i) the minimum number of loading spaces - type A to be provided and maintained for the building or structure to be erected or used in respect of the purposes concerning which the aforesaid Tables 3 and 6 apply shall be the greater of the number of loading spaces - type A determined by the application of the aforesaid Tables 3 and 6 or, if each number of loading spaces - type A determined by the application of the aforesaid Tables 3 and 6 is the same, the minimum number of loading spaces - type A to be provided and maintained for such building or structure shall be equal to the number of loading spaces - type A that would obtain on the application of one only of the aforesaid Tables 3 and 6;

(ii) the minimum number of loading spaces - type B to be provided and maintained for the building or structure to be erected or used in respect of the purposes concerning which more than one of the aforesaid Tables 2, 3, 5 or 6 apply shall be the greater of the number of loading spaces - type B determined by the individual application of the aforesaid Tables 2, 3, 5 or 6 or, if each number of loading spaces - type B determined by the application of the aforesaid Tables 2, 3, 5 or 6 is the same, the minimum number of loading spaces - type B to be provided and maintained for such building or structure shall be equal to the number of loading spaces - type B that would obtain on the application of one only of the aforesaid Tables 2, 3, 5 or 6;

(iii) the minimum number of loading spaces - type C to be provided and maintained for the building or structure to be erected or used in respect of the purposes concerning which more than one of the aforesaid Tables 2, 3 or 6 apply, shall be the greater of the number of loading spaces - type C determined by the application of the aforesaid Tables 2, 3 or 6 or, if each number of loading spaces - type C determined by the application of the aforesaid Tables 2, 3 or 6 is the same, the minimum number of loading spaces - type C to be provided and maintained for such building or structure shall be equal to the number of loading spaces - type C that would obtain on the application of one only of the aforesaid Tables 2, 3 or 6;

provided further that where any one or more of the aforesaid Tables 4, 7 or 8 applies in respect of a purpose or purposes for the building or structure to be erected or used, the minimum number of loading spaces - type A and loading spaces - type B and the minimum number of loading areas required as prescribed in one or more of such Tables shall be provided and maintained in addition to the provision and maintenance of the loading spaces required by sub-paragraphs (i), (ii) and (iii) of this paragraph.

(e) Notwithstanding paragraphs (b), (c) and (d), in a case where this subsection requires in respect of the portion of a mixed-use building to be erected or used for non-residential purposes that one or more loading spaces - type A or loading spaces - type B shall be provided and maintained and such building also contains 30 or more dwelling units, the loading space - type G required in respect of such dwelling units shall be deemed to be satisfied by the provision and maintenance of at least one loading space - type A or one loading space - type B in respect of the portion of the building to be erected or used for non-residential purposes, provided that such loading space - type A or loading space - type B is constructed as a loading space - type G.

(f) None of the provisions of this subsection shall apply to require the owner or occupant of a building or structure lawfully erected prior to the date of the passing of this By-law or which may be lawfully erected pursuant to a building permit issued prior to such date, to provide loading facilities in respect of the use of the building for a purpose which is different from the use of the building prior to such date, provided:

(i) the first storey of the building at, above or below grade on the aforesaid date occupied or could have occupied pursuant to the aforesaid permit more than 75 per cent of the area of the lot; and

(ii) the loading facilities, including the minimum vertical clearances appurtenant thereto, legally required or actually provided or to be provided pursuant to the aforesaid permit, whichever is the greater, in respect of the building or structure before the change in use is maintained.

(g) Where land, buildings or structures are to be erected or used for a purpose (the "subordinate purpose") which is normally incidental, subordinate and devoted to another purpose (the "principal purpose") for which such lands, buildings or structures are to be erected or used, the subordinate purpose shall be deemed to be part of the principal purpose.

Schedule 1

PARKING REQUIREMENTS					LOADING REQUIREMENTS	
TYPE OF USE	TYPE OF PARKING FACILITY	MINIMUM REQUIRED	MAXIMUM PERMITTED	OCCUPANCY RATE	SIZE OF BUILDING	NUMBER OF LOADING SPACES REQUIRED
Dwelling Unit in a building containing no more than 6 dwelling units;	in a private garage, a garage in the building above or below grade provided that when located above grade no parking space is located closer to an external wall of the building than 10.6 metres, or a parking station on the same lot as the building;	Residents' Parking: 1 parking space for each dwelling unit contained therein;	N/A	Residents' Parking: morning: 100% afternoon: 100% evening: 100%	TABLE 1 30 or more dwelling units	1 loading space - Type G
Dwelling Unit in a building containing more than 6 dwelling units;	in a private garage, a garage in the building above or below grade provided that when located above grade no parking space is located closer to an external wall of the building than 10.6 metres, or parking station, on the same lot as the building;	Residents' Parking: 0.3 parking space for each bachelor dwelling unit; 0.5 parking space for each one bedroom dwelling unit; 0.75 parking space for each two bedroom dwelling unit; and 1.20 parking space for each three or more bedroom dwelling unit contained therein; Visitors' Parking: 0.06 parking space for every dwelling unit contained therein;	N/A	Visitors' Parking: morning: 0% afternoon: 35% evening: 100%	(SEE TABLE 1)	
Senior Citizens Housing;	in a garage in the building above or below grade provided that when located above grade no parking space is located closer to an external wall of the building than 10.6 metres, or parking station on the same lot as the building;	Residents' Parking: 0.05 parking space for each bachelor dwelling unit; and 0.1 parking space for each one-bedroom dwelling unit contained therein; Visitors' Parking: 0.02 parking space for every dwelling unit contained therein;	N/A	Residents' Parking: morning: 100% afternoon: 100% evening: 100% Visitors' Parking: morning: 0% afternoon: 35% evening: 100%	(SEE TABLE 1)	

Schedule 1 (con't)

PARKING REQUIREMENTS					LOADING REQUIREMENTS	
TYPE OF USE	TYPE OF PARKING FACILITY	MINIMUM REQUIRED	MAXIMUM PERMITTED	OCCUPANCY RATE	RANGE OF TOTAL FLOOR AREA (square metres)	NUMBER OF LOADING SPACES REQUIRED
Department Store;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 150 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 100 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 20% afternoon: 100% evening: 100%	(SEE TABLE 3)	
Beer Parlour; Cocktail Bar; Eating Establishment; Nightclub; Tavern or Public House; Wine Bar;	N/A	N/A	N/A	N/A	(SEE TABLE 3)	
Hotel;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 371 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 100 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 80% afternoon: 75% evening: 100%	(SEE TABLE 3)	
Grocery Shop; Groceteria; Supermarket;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 100 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 20 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 20% afternoon: 100% evening: 100%	TABLE 4 Less than 100 100 - 499 500 - 999 1,000 - 1,499 1,500 - 2,000 over 2,000	TYPE A TYPE B nil nil nil 1 nil 2 1 2 1 3 1 3
Nursery School; Private Academic, Religious or Philanthropic School; Public School other than a college or university; Trade School;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 850 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 150 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 100% afternoon: 100% evening: 0%	TABLE 5 Less than 500 500 - 19,999 20,000 - 40,000 over 40,000	nil 1 Type B space 2 Type B spaces 2 Type B spaces

Schedule 1 (con't)

PARKING REQUIREMENTS					LOADING REQUIREMENTS		
TYPE OF USE	TYPE OF PARKING FACILITY	MINIMUM REQUIRED	MAXIMUM PERMITTED	OCCUPANCY RATE	RANGE OF TOTAL FLOOR AREA (square metres)	NUMBER OF LOADING SPACES REQUIRED	
Office Building or a portion of a building used for any office purpose other than a: business office; charitable institution; film exchange; government office;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 300 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 135 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 100% afternoon: 60% evening: 0%	TABLE 2		
						TYPE B	TYPE C
					Less than 500	nil	nil
					500 - 999	1	nil
					1,000 - 1,999	1	1
					2,000 - 3,999	1	2
					4,000 - 27,999	2	2
					28,000 - 51,999	2	3
					52,000 - 75,999	3	3
					76,000 - 99,999	3	4
					100,000 - 123,999	4	4
					124,000 - 147,999	4	5
					148,000 - 171,999	5	5
					172,000 - 195,999	5	6
					196,000 - 219,999	6	6
					220,000 - 244,000	6	7
					over 244,000	6	7
Government Office;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 75 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 65 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 100% afternoon: 75% evening: 0%	(SEE TABLE 2)		
Clinic; Medical/Dental Office;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 300 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 30 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 100% afternoon: 100% evening: 50%	(SEE TABLE 2)		

Schedule 1 (con't)

PARKING REQUIREMENTS					LOADING REQUIREMENTS			
TYPE OF USE	TYPE OF PARKING FACILITY	MINIMUM REQUIRED	MAXIMUM PERMITTED	OCCUPANCY RATE	RANGE OF TOTAL FLOOR AREA (square metres)	NUMBER OF LOADING SPACES REQUIRED		
Artist's or Photographer's Studio; Auctioneer's Premises; Bake-shop; Book Store; Box Lunch Shop; Branch of a Bank or Financial Institution; Butcher Shop; Caterer's Shop; Custom Workshop; Delicatessen Shop; Dressmaker's Shop; Dry Cleaner's Distributing Station; Dry-Cleaning Establishment; Dry-Cleaning Shop; Duplicating Shop; Florist Shop; Hardware Shop; Laundry Shop; Locksmith's or Gunsmith's Shop; Massage Establishment; News-Stand; Pawnbroker's Shop; Personal Grooming Establishment; Pet Shop; Pharmacy; Photographer's Shop; Real Estate Sales Office; Retail Outlet ancillary to industry; Retail Store; Second-Hand Shop; Service or Repair Shop; Shoe Repair Shop; Spotting and Stain Removing Establishment; Tailor's Shop; Taxidermist's Shop; Travel Agent; Undertaker's Establishment; Upholsterer's Shop; Variety or Smoke Shop;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 100 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein, except where such uses are located in a building having a non-residential gross floor area not exceeding 1.0 times the area of the lot;	1 parking space for each 25 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein,	morning: 20% afternoon: 100% evening: 100%	TABLE 3			
						TYPE A	TYPE B	TYPE C
					Less than 500	nil	nil	nil
					500 - 999	nil	1	nil
					1,000 - 4,999	nil	2	nil
					5,000 - 9,999	nil	3	nil
					10,000 - 19,999	1	3	nil
					20,000 - 29,999	1	3	1
					30,000 - 39,999	1	4	1
					40,000 - 49,999	1	4	2
					50,000 - 59,999	1	5	2
					60,000 - 69,999	1	5	3
					70,000 - 79,999	1	6	3
					80,000 - 89,999	1	6	4
					90,000 - 99,999	1	7	4
					100,000 - 109,999	2	7	4
					110,000 - 119,999	2	8	4
					120,000 - 129,999	2	8	5
					130,000 - 139,999	2	9	5
					140,000 - 150,000	2	9	6
					over 150,000	2	9	6
Automobile Showroom;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 100 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 65 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 100% afternoon: 100% evening: 100%	(SEE TABLE 3)			

Schedule 1 (con't)

PARKING REQUIREMENTS					LOADING REQUIREMENTS	
TYPE OF USE	TYPE OF PARKING FACILITY	MINIMUM REQUIRED	MAXIMUM PERMITTED	OCCUPANCY RATE	SIZE OF BUILDING	NUMBER OF LOADING SPACES REQUIRED
Single Persons Housing;	in a garage in the building above or below grade provided that when located above grade no parking space is located closer to an external wall of the building than 10.6 metres, or parking station, on the same lot as the building;	Residents' Parking: 0.3 parking space for each dwelling unit contained therein; Visitors' Parking: 0.06 parking space for every dwelling unit contained therein;	N/A			
Assisted Housing;	in a garage in the building above or below grade provided that when located above grade no parking space is located closer to an external wall of the building than 10.6 metres or parking station, on the same lot as the building;	Residents' Parking: 0.3 parking space for each bachelor dwelling unit; and 0.5 parking space for each one or more bedroom dwelling unit contained therein; Visitors' Parking: 0.06 parking space for every dwelling unit contained therein;	N/A	Residents Parking: morning: 100% afternoon: 100% evening: 100% Visitors' Parking: morning: 0% afternoon: 35% evening: 100%	(SEE TABLE 1)	
Dwelling Rooms, one or more in a mixed-use building; Hostel; Residence owned or controlled by the Salvation Army, Y.M.C.A., Y.W.C.A., Y.M.H.A., or Y.W.H.A.;	in a garage in the building above or below grade provided that when located above grade no parking space is located closer to an external wall of the building than 10.6 metres or parking station, on the same lot as the building;	Residents Parking: 1 parking space for each 6 bedrooms or dwelling rooms, or fraction equal to or greater than one-half thereof, contained therein;	N/A		(SEE TABLE 1)	

Schedule 1 (con't)

PARKING REQUIREMENTS					LOADING REQUIREMENTS	
TYPE OF USE	TYPE OF PARKING FACILITY	MINIMUM REQUIRED	MAXIMUM PERMITTED	OCCUPANCY RATE	RANGE OF TOTAL FLOOR AREA (square metres)	NUMBER OF LOADING SPACES REQUIRED
Courthouse;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 100 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 75 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 100% afternoon: 100% evening: 0%	(SEE TABLE 5)	
Armoury or Drill Hall; Crisis Care Facility; Fire Hall; Police Station; Residential Care Facility;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 450 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 100 square metres of total floor area, or fraction equal to or greater than one-half thereof contained therein;	morning: 100% afternoon: 100% evening: 100%	(SEE TABLE 5)	
Postal Station;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 110 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 75 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 100% afternoon: 100% evening: 0%	(SEE TABLE 5)	
Billiard or Pool Room; Bowling Alley; Club; Community Centre; Ice or Roller Skating Rink; Non-residential Facility of the: Y.M.C.A., Y.W.C.A., Y.M.H.A., or Y.W.H.A.; Private Art Gallery; Public Art Gallery; Public Hall for use principally for one or more of the following: art exhibits, banquets, or receptions, charitable or social organizations, displays or performances of a cultural nature, fraternal, lectures; Public Library; Public Museum; Union Hall;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 175 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 75 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 25% afternoon: 100% evening: 100%	(SEE TABLE 5)	

A-137

Schedule 1 (con't)

PARKING REQUIREMENTS					LOADING REQUIREMENTS	
TYPE OF USE	TYPE OF PARKING FACILITY	MINIMUM REQUIRED	MAXIMUM PERMITTED	OCCUPANCY RATE	RANGE OF TOTAL FLOOR AREA (square metres)	NUMBER OF LOADING SPACES REQUIRED
Place of Assembly;	on the same lot as the building or within 300 metres of such lot;	1 parking space for every 5 seats, or fraction greater than one-half thereof, contained therein;	1 parking space for every 3 seats, or fraction greater than one-half thereof, contained therein;	morning: 0% afternoon: 25% evening: 100%	(SEE TABLE 5)	
Church;	on the same lot as the building or within 300 metres of such lot;	3 parking spaces for every 40 seats, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for every 5 seats, or fraction equal to or greater than one-half thereof, contained therein;	morning: 0% afternoon: 0% evening: 100%	No loading facilities required.	
Animal Hospital; Clinic, Treatment Centre; Research Centre, or Hospital operated by the Alcoholism and Drug Addiction Research Foundation; Community Health Centre; Convalescent Home or Rest Home; Day Nursery; Home for the Aged; Nursing Home; Private Hospital; Psychiatric Hospital; Public Hospital;	on the same lot as the building or within 300 metres of such lot;	1 parking space for each 250 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 125 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 100% afternoon: 100% evening: 100%	TABLE 6	

TABLE 6

	TYPE A	TYPE B	TYPE C
Less than 500	nil	nil	nil
500 - 1,999	nil	nil	1
2,000 - 18,499	nil	1	1
18,500 - 34,999	1	1	1
35,000 - 51,499	1	1	2
51,500 - 67,999	1	2	2
68,000 - 84,499	1	3	2
84,500 - 100,999	1	4	2
101,000 - 117,499	1	5	2
117,500 - 133,999	1	6	2
134,000 - 150,499	1	6	3
150,500 - 166,999	1	7	3
167,000 - 183,499	1	8	3
183,500 - 200,000	1	9	3
over 200,000	1	9	3

Schedule 1 (con't)

PARKING REQUIREMENTS					LOADING REQUIREMENTS	
TYPE OF USE	TYPE OF PARKING FACILITY	MINIMUM REQUIRED	MAXIMUM PERMITTED	OCCUPANCY RATE	RANGE OF TOTAL FLOOR AREA (square metres)	SQUARE METRES OF LOADING AREA REQUIRED
Bookbinder's Shop; Courier Service; Data Processing Establishment; Film or Recording Studio; Industrial Catering Service; Industrial Computer Service; Laboratory, Class A; Laboratory, Class B; Machine Laundry; Radio or Television Broadcasting Station, Studio or Theatre; Security Service and Equipment Business; Workshop or Equipment Yard of a: decorator, interior decorator, display designer, or sign erector;	on the same lot as the building or within 450 metres of such lot;	1 parking space for each 200 square metres of total floor area, or fraction equal to or greater than one-half thereof, contained therein;			TABLE 7	
					Less than 100	nil
					100 - 999	21.0
					1,000 - 4,999	59.5
					5,000 - 8,499	119.0
					8,500 - 16,999	178.5
					17,000 - 25,499	217.0
					25,500 - 33,999	276.5
					34,000 - 42,500	315.0
					over 42,500 square metres for each 10,000 square metres additional total floor area but not for any fraction thereof	21.0
Generating Station; Pumping Station; Railway Service and Repair Yard; Railway Station; Sample or Showroom; Sewage Disposal Plant, Public Incineration or Refuse Destructor; Waterworks; Wholesaling or Warehousing Firm;	on the same lot as the building or within 450 metres of such lot;	1 parking space for each 800 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	1 parking space for each 100 square metres of net floor area, or fraction equal to or greater than one-half thereof, contained therein;	morning: 100% afternoon: 100% evening: 0%	TABLE 8	
					Less than 100	nil
					100 - 999	38.5
					1,000 - 2,999	59.5
					3,000 - 6,499	119.0
					6,500 - 9,999	157.5
					10,000 - 13,499	178.5
					13,500 - 16,999	238.0
					17,000 - 20,499	276.5
					20,500 - 23,999	336.0
					24,000 - 27,499	374.5
					27,500 - 30,999	434.0
					31,000 - 34,499	472.5
					34,500 - 37,999	532.0
					38,000 - 41,499	570.5
					41,500 - 44,999	630.0
					45,000 - 48,499	668.5
					48,500 - 52,000	728.0
					over 52,000 square metres for each 10,000 square metres additional total floor area but not for any fraction thereof	38.5

(7) EXCEPTIONS FOR PUBLIC SERVICES

None of the provisions of this By-law shall apply:

(a) to prevent the use of any land or the erection or use of any building or structure in any District for the purposes of the public service by the Corporation of the City of Toronto or any local board thereof, as defined by the Municipal Affairs Act (R.S.O. 1980 c.303), the TorontoHarbour Commissioners, any telephone or telegraph company, any Department or agency of the Government of Ontario or Canada provided that where such land, or structure is located in any District:

  (i) no goods, material or equipment shall be stored in the open; and

  (ii) the provisions of this By-law in respect of the common outdoor space and height of buildings or structures are complied with; and

  (iii) any building erected under the provisions of this subsection shall be designed and maintained in general harmony with buildings of the type permitted in the said districts;

(b) to prevent the use of any land or the erection or use of any building or structure in any District by the Municipality of Metropolitan Toronto for the purposes of a waterworks plant, a pumping station or transportation facilities provided that:

  (i) no goods, material or equipment shall be stored in the open; and

  (ii) the provisions of this By-law in respect of common outdoor space, height and spacing of external walls are complied with; and

  (iii) any building erected under the provisions of this subsection shall be designed and maintained in general harmony with buildings of the type permitted in the said districts.

SECTION 5 - G DISTRICTS

(1) PERMITTED USES

No person shall, within any G district, use any lot or erect or use any building or structure for any purpose except one or more of the following G uses, namely:

(a) a public park, including therein one or more athletic fields, field houses, community centres, bleachers, open or closed swimming and wading pools, green houses, botanical gardens, zoological gardens, band stands, skating rinks, tennis courts, bowling greens, boat liveries, bathing stations and refreshment rooms, an ornamental structure;

(b) a public playground;

(c) a day nursery

(d) any use which is accessory to any of the foregoing uses.

(2) CONDITIONS TO BE SATISFIED BEFORE CERTAIN USES ARE PERMITTED

1. a day nursery is a permitted us in a G District provided it is in a community centre provided such day nursery is operated by a non-profit institution;

(3) REGULATIONS APPLYING TO G DISTRICTS

PART I - EXCEPTIONS TO PERMITTED USES AND RESTRICTIONS ON USE

1. None of the provisions of subsection (1) shall apply to prevent the erection and use of community information boards by the Corporation or any local board thereof as defined by The Municipal Affairs Act, R.S.O. 1970, chapter 118, provided:

   (a) the display area of each side of the community information notice board is not more than 2.5 square metres; and

   (b) the height of the community information notice board including the supporting structure, is not more than 2.2 metres above ground level.

2. Notwithstanding the provisions of subsections (5) and (6) of Section 4 and subsection (1) of this Section, a

public museum shall be permitted to be located in the public park located east of Spadina Avenue;

3. Notwithstanding the provisions of subsection (1), a communications tower with related and accessory uses including the following: telecommunication uses, recreational uses, entertainment uses, administrative offices, eating establishments, and retail stores is permitted to be erected and maintained in the public park located east of Spadina Avenue.

SECTION 6 - CR DISTRICTS

(1) PERMITTED USES

No person shall, within any CR district, use any lot or erect or use any building or structure for any purpose except any G use or one or more of the following CR uses:

(a) RESIDENTIAL USES:

(i) HOUSING COMPRISED OF DWELLING UNITS:

apartment house, row housing, senior citizens housing, single persons housing, or one or more dwelling units in a building containing uses permitted in CR districts;

(ii) SHARED HOUSING CONTAINING DWELLING ROOMS:

one or more dwelling rooms in a building used for purposes permitted in CR districts; a nursing home, convalescent home or rest home; a crisis care facility, a residential care facility other than a monastery, a nunnery or religious retreat, a residence owned and controlled by the Salvation Army, Y.M.C.A., Y.W.C.A., Y.M.H.A., or Y.W.H.A.; a home for the aged; a hostel; a university residence;

(iii) INCIDENTAL RESIDENTIAL USES:

a private garage or parking station incidental and subordinate to a residential use referred to in sub-paragraphs (i) or (ii), and located on the same lot; any use that is accessory to a residential use referred to in sub-paragraphs (i) and (ii) of this paragraph;

(b) NON-RESIDENTIAL USES:

(i) COMMUNITY SERVICES AND FACILITIES:

a public or separate elementary school, a high school or secondary school; a community centre, a municipal community centre; municipal baths and swimming pool, a bathing station; Y.M.C.A., Y.W.C.A., Y.M.H.A., Y.W.H.A.; a day nursery, a nursery school, a playlot; a church; a community health centre; premises of a charitable institution, non-profit institution or other community or social agency used for the purpose of providing a community service such as, but not limited to, employment, immigration, counselling, welfare or legal services; a union hall, a public library, a public art gallery or a public museum having a non-residential gross floor area not exceeding 1394 square metres; any use that is accessory to a use otherwise permitted by this sub-paragraph;

(ii) GENERAL INSTITUTIONS:

a private academic, religious or philanthropic school, a technical school, a vocational school, a college or university; a military academy; the Conservatory of Music, a Bible Institute, a religious library or reading room; a polytechnical institute, a private hospital, a public hospital, a psychiatric hospital, facilities operated by the Alcoholism and Drug Addiction Reserach Foundation, a doctor's office located in a building operated by or on behalf of any one or more of them; a public hall for use for lectures, meetings or for art exhibits, concerts or other displays or performances of a cultural nature; a public library, a public art gallery, a public museum, a police station, a fire hall, an armoury or drill hall, an observatory; premises of a charitable institution or non-profit institution other than those described in sub-paragraph (i) of this paragraph; and a seminary or religious mission; in the case of a college or university (including The Royal Conservatory of Music) any use that is naturally and normally incidental, subordinate and devoted to the principal use of such college or university (including The Royal Conservatory of Music); and in the case of any other general institutions, any use that is accessory to it;

(iii) LOCAL RETAIL AND SERVICE SHOPS:

a grocery shop, a bake-shop, a butcher shop, a delicatessen; a pharmacy, a variety or smoke shop, a newsstand, a hardware shop; a branch of a bank or financial institution; an eating establishment, a box lunch shop, a tavern or public house, a shoe repair shop, a tailor's shop, a dry cleaning shop, a dry cleaner's distributing station; a laundry shop; a personal grooming establishment, a book store, a florist shop;

(iv) GENERAL RETAIL AND SERVICE SHOPS:

a retail store, a pawnbroker's shop, a secondhand shop, a dressmaker's shop, a pet shop, a real estate sales office; a photographer's shop, a travel agent; a sample or showroom, an auctioneer's premises; a service and repair shop, a locksmith's or gunsmith's shop, a taxidermist's shop, an upholsterer's shop, a spotting and stain removing establishment; a duplicating shop, an industrial computer service, a data processing establishment, a security service;

(v) an office, a government office, a business office, a newspaper plant, a post office, an administrative office of a non-profit institution or a religious, educational, recreational, fraternal or philanthropic nature;

(vi) WORKSHOPS AND STUDIOS:

a duplicating shop, a custom workshop, a laboratory Class A, an artist's or photographer's studio, a film or recording studio, a motion picture studio, a T.V. studio, a printing plant;

(vii) PLACES OF AMUSEMENT AND ASSEMBLY:

a billiard or pool room, a bowling alley, a private art gallery, a club, a place of amusement, commercial baths, pinball or electronic game machine installation;

(viii) AUTOMOBILE RELATED USES:

an automobile service station, a taxicab stand or station, a parking station, a private parking garage, a car washing establishment, a sales or hire garage, a motor vehicle repair shop, class A, an automobile service and repair shop;

(ix) MISCELLANEOUS NON-RESIDENTIAL USES:

a hotel, a tourist or guest home, a cold storage locker plant, an undertaker's establishment, a commercial school, a clinic, an animal hospital, a massage establishment, an ornamental structure, a craft school, a trade school, a radio or television broadcasting station, studio or theatre; a commercial bakery

(x) SIGNS:

a wall sign, window sign, projecting sign, ground sign, a banner sign or other sign, notice or advertising device;

(xi) any use which is accessory to any of the uses referred to in sub-paragraphs (ii) to (ix) inclusive.

(2) CONDITIONS TO BE SATISFIED BEFORE CERTAIN USES ARE PERMITTED

1. One of more dwelling units in a building is a permitted use in CR districts provided such building contains uses permitted in CR districts.

2. A crisis care facility is a permitted use in a CR district provided it:

   (a) occupies the whole of a fully detached building; or

   (b) in the case of a mixed use building, occupies the whole of the residential portion of the building; and

   (c) is located at least 245 metres from any residential care facility.

3. One or more dwelling rooms in a building is a permitted use in CR districts provided the building is used for purposes permitted in CR districts.

4. a residential care facility is a permitted use in a CR district provided it:

   (a) occupies the whole of a fully detached building; and

   (b) is at least 245 metres from any other residential care facility.

5. A private garage or parking station is a permitted use in CR districts provided it is incidental and subordinate to and on the same lot.

6. The premises of a charitable institution, a non-profit institution or other community or social agency are permitted uses in CR districts provided they are used for the purpose of providing a community service such as, but not limited to, employment, immigration, counselling, welfare or legal services.

7. A doctor's office is a permitted use in CR districts provided it is located in a building operated by or on behalf of any one or more of the following institutions:

a private hospital; a public hospital; a psychiatric hospital; or facilities operated by the Alcoholism and Drug Addiction Research Foundation;

8. A printing plant is a permitted use in CR districts provided not more than ten persons are employed.

9. An administrative office is a permitted use in CR districts provided it is an administrative office of a non-profit institution of a religious, educational, recreational, fraternal or philanthropic nature.

(3) REGULATIONS APPLYING TO CR DISTRICTS

PART I - DENSITY

1. Maximum non-residential gross floor area: non-residential or mixed-use buildings: L zones

No person shall, on any lot in any L0.25, L0.5, L2, L3, L3.5, L4.5, L7.8, L8 or L9 zone, as the case may be, erect or use in any CR district a non-residential building or mixed use building having a greater non-residential gross floor area than as follows:

L0.25 zone	0.25 times the area of the lot
L0.5 zone	0.5 times the area of the lot
L2 zone	2 times the area of the lot
L3 zone	3 times the area of the lot
L3.5 zone	3.5 times the area of the lot
L4.5 zone	4.5 times the area of the lot
L7.8 zone	7.8 times the area of the lot
L8 zone	8 times the area of the lot
L9 zone	9 times the area of the lot

2. Maximum number of dwelling units: residential or mixed-use buildings: U zones

No person shall on any lot in any U200, U250, U300, U350, U480, U580, U600 or U750 zone, as the case may be, erect or use any residential building or mixed use building having a greater number of dwelling units than as follows:

U200 zone	200 dwelling units per hectare of lot area or one dwelling unit for every 50 square metres of lot area
U250 zone	250 dwelling units per

	hectare of lot area or dwelling unit for every every 40 square metres of lot area
U300 zone	300 dwelling units per hectare of lot area or one dwelling unit for every 33 square metres of lot area
U350 zone	350 dwelling units per hectare of lot area or one dwelling unit for every 29 square metres of lot area
U480 zone	480 dwelling units per hectare of lot area or one dwelling unit for every 21 square metres of lot area
U580 zone	580 dwelling units per hectare of lot area or one dwelling unit for every 17 square metres of lot area
U600 zone	600 dwelling units per hectare of lot area or one dwelling unit for every 16 square metres of lot area
U750 zone	750 dwelling units per hectare of lot area or one dwelling unit for every 13 square metres of lot area

3. Mixing formula: mixed use buildings: maximum non-residential gross floor area, maximum number of units and maximum residential density

No person shall on any lot in any U200, U300, U350, U480, U580, U600 or U750 zone, as the case may be, erect or use any mixed use building in which the sum of the non-residential gross floor area in square metres plus the number obtained by multiplying 100 times the number of dwelling units is greater than the value of the constant prescribed below for the density zone in which the lot is located:

Density Zone	Constant
L0.25 U300	3.75 times the area of the lot
L0.5 U350	4.0 times the area of the lot
L3.5 U200	5.5 times the area of the lot
L0.5 U600	6.5 times the area of the lot
L2 U580	7.8 times the area of the lot
L3 U480	7.8 times the area of the lot
L3.5 U480	7.8 times the area of the lot
L4.5 U480	7.8 times the area of the lot
L7.8 U480	7.8 times the area of the lot
L8 U750	12 times the area of the lot
L9 U750	12 times the area of the lot

provided that:

(a) the non-residential gross floor area contained in such mixed use building does not exceed the non-residential gross floor area permitted to be erected or used on the lot on which the building is erected, by paragraph 1.; and

(b) the number of dwelling units contained in such mixed use building does not exceed the number of dwelling units permitted to be erected or used on the lot on which the building is erected, by paragraph 2.

4. Exception: dwelling rooms in a residential or mixed use building: certain U zones

No person shall erect of use a residential building or mixed use building containing dwelling rooms on a lot in any U200, U300, U350, U480, U580, U600 or U750 zone, in which the aggregate of the number of dwelling rooms and the number of dwelling units contained in such building exceeds the number of dwelling units permitted by paragraph 2. of this subsection in the zone in which the lot is located.

5. Additional dwelling units: residential and mixed use buildings: assissted housing programs

None of the provisions of paragraphs (2) and (3) of this subsection shall apply to prevent the erection or use of a residential building or a mixed use building containing a greater number of dwelling units than that permitted by those paragraphs provided that:

(a) the owner of the lot agrees with the Corporation of the City of Toronto pursuant to Section 5 of the City of Toronto Act, 1975, as amended from time to time, to provide such additional dwelling units for the purposes of any assisted housing programme;

(b) the number of such additional dwelling units does not exceed one dwelling unit for every four dwelling units permitted by paragraphs 2. and 3. of this subsection; and

(c) the building is not located in a L8 U750 or L9 U750 zone.

6. Additional dwelling units: residential and mixed-use buildings: senior citizen housing

None of the provisions of paragraphs 2. or 3. of this subsection shall apply to prevent the erection or use on a lot of a residential building or a mixed use building containing a greater number of dwelling units than that permitted by those paragraphs, provided that:

(a) the dwelling units in such building are owned by or leased to a government agency exclusively for the purposes of senior citizens housing;

(b) the number of dwelling units in such building does not exceed the number specified below for the density zone in which the lot is located:

Density Zone	Number of Senior Citizens Housing Dwelling Units
U200, L0.25 U300 and L0.5 U350	625 dwelling units per hectare or one dwelling unit for every 16 square metres of lot area
L3.5 U200 zones	850 dwelling units per hectare or one dwelling unit for every 12 square metres of lot area
L0.5 U600, L2 U580, L3 U480, L3.5 U480, L4.5 U480, L7.5 U480 or L7.8 U480 zones	1,000 dwelling units per hectare or one dwelling unit for every 10 square metres of lot area

(c) in the case of a mixed use building, the sum of the non-residential gross floor area plus the number obtained by multiplying 44 times the number of dwelling units does not exceed the value of the constant specified below for the density zone in which the lot is located:

provided that:

(i) the non-residential gross floor area contained in such mixed use building does not exceed the non-residential gross floor area permitted to be erected or used on the lot on which the building is erected, by paragraph 1.; and

(ii) the number of dwelling units contained in such mixed use building does not exceed the number of dwelling units permitted to be erected or used on the lot on which the building is erected, by subparagraph (b) of this paragraph.

Density Zone	Constant
L0.25 U300 zone	3.25 times the area of the lot
L0.5 U350 zone	4.0 times the area of the lot
L3.5 U200 zone	5.5 times the area of the lot
L0.5 U600 zone	6.5 times the area of the lot
L2 U580, L3 U480, L3.5 U480, and L7.8 U480 zones	7.8 times the area of the lot

7. Exceptions: additional non-residential gross floor area: non-residential or mixed use buildings: Community services and facilities, hotels and pedestrian walkways: sitting areas and washrooms

None of the provisions of paragraphs 1. and 3. of Part I of this subsection shall apply to prohibit the use, or erection of a building or structure on a lot having a greater non-residential gross floor area than that permitted by the said paragraphs in a non-residential building or in a mixed use building in the zone in which the lot is located provided that:

(a) such additional non-residential gross floor area is used for the purposes of one or more community services or facilities as referred to in subparagraph (i) of paragraph (b), of subsection (1) and does not exceed the relevant floor area as set out below:

Density Zone	Additional Non-Residential Gross Floor Area
L0.25 U300 and L0.5 U350 zones	0.2 times the area of the lot
L3.5 U200 and L0.5 U600 zones	0.4 times the area of the lot
L2 U580, L3 U480, L3.5 U480, L4.5 U480, L7.8 U480, L8 U750 and L9 U750 zones	0.8 times the area of the lot

(b) such building is located on a lot in a U480, U580 or U750 zone and such additional non-residential gross floor area is used for the purposes of a hotel provided that the sum of the total non-residential gross floor area in square metres plus the number obtained by multiplying 100 times the number of dwelling units contained in such building does not exceed the value of the constant prescribed below for the density zone in which the lot is located:

Density Zone	Constant
U480 zone and U580 zone	7.8 times the area of the lot
U750 zone	12 times the area of the lot

(c) such building is located on a lot and such additional non-residential gross floor area is used for the purposes of one or more pedestrian walkways that meet all of the following standards:

(i) provide direct access between streets, parks, public buildings, and/or other public spaces or between any such space and a similar walkway in an adjacent building, a common outdoor space or a T.T.C. subway station;

(ii) are located within 5 metres of grade;

(iii) are no narrower than 3 metres at any point; and

(iv) are not used for any commercial purposes, including hotel lobbies, retail areas, commercial display areas or other rentable space;

or is used for the purposes of one or more washrooms or sitting areas that have access to such walkways.

8. Exceptions: non-residential and mixed use buildings: street related retail and service uses: certain L zones

(a) Notwithstanding the provisions of paragraphs 1. and 2. of Part I, of this subsection, no person shall erect or use a building or structure on a lot in a L2, L3, L3.5, L4.5, L7.8, L8 or L9 zone in which the non-residential gross floor area used for one or more commercial purposes referred to in subparagraphs (iii) to (viii) inclusive of paragraph (b) of subsection (1) of this Section, exceeds the amount prescribed for the density zone in which the lot is located by the following table:

Density Zone	Maximum Non-Residential Gross Floor Area
L0.5	0.2 times the area of the lot
L2	1.7 times the area of the lot
L3	2.7 times the area of the lot
L3.5	3.2 times the area of the lot
L4.5	4.2 times the area of the lot
L7.8	7.5 times the area of the lot
L8	7.7 times the area of the lot
L9	8.7 times the area of the lot

(b) None of the provisions of subparagraph (a) shall apply to prevent the erection or use of additional non-residential gross floor area for commercial purposes to that permitted by subparagraph (a) on a lot in a L0.5, L2, L2.5, L3, L3.5, L4.5, L7.5, L7.8, L8 or L9 zone which lot contains street-related retail and service uses, provided that such additional floor area does not exceed the lesser of:

(i) 0.3 times the area of the lot; or

(ii) the floor area determined by the following formula:

$$\text{Floor Area equals } \frac{1}{2} \times \frac{\text{the aggregate length of the portions of the frontages of the lot which face street-related retail and service uses}}{\text{the aggregate length of the frontages of the lot}} \times \text{the area of the lot,}$$

(c) None of the provisions of paragraphs 2. and 3. of this subsection shall apply to prevent the erection of a mixed use building containing dwelling rooms provided that the aggregate of the number of dwelling rooms and any dwelling units in such building does not exceed the number of dwelling units permitted by the said paragraphs 2. and 3.

PART II - SETBACKS

1. No person shall erect a residential building or a mixed use building on a lot in which the main window of the living area of a dwelling unit or dwelling room in such building is located any closer than:

   (a) 15 metres to the main window of the living area of another dwelling unit or dwelling room located on the same lot;

   (b) 11 metres to a window of a habitable room or another dwelling unit or dwelling room located on the same lot; or

   (c) 7.5 metres to a wall, or to a lot line which is not a street line or which does not abut a public park;

   provided that the living area to which reference is made in this paragraph does not include a room used exclusively for the purposes of a bathroom, bedroom, or kitchen.

2. No person shall erect or use any tank for the storage of propane for sale at an automobile service station within 7.5 metres of any lot containing one of the uses permitted by paragraph (a) of subsection (2) of Section 7 unless such tank is separated from the lot by an unpierced wall or fence of non-combustible construction

having a height of 1.7 metres above the level of the ground adjoining the tank.

PART III - OPEN SPACE

1. Common outdoor space: non-residential and mixed use buildings

No person shall erect or use a non-residential building or a mixed-use building on a lot, if the lot has lesser common outdoor space than the amount required by the following table:

Number of frontages of the lot	Common Outdoor Space Requirement
One	1.5% of the non-residential gross floor area contained in the building or structure or 4.5% of the area of the lot, whichever is the lesser;
Two	3.0% of the non-residential gross floor area contained in the building or structure or 9.0% of the area of the lot, whichever is the lesser;
Three	4.5% of the non-residential gross floor area contained in the building or structure or 13.5% of the area of the lot, whichever is the lesser;
Four or more	6.0% of the non-residential gross floor area contained in the building or structure or 18% of the area of the lot, whichever is the lesser;

2. Recreation space

(a) No person shall erect or use a residential building or a mixed use building on a lot if the lot has lesser recreation space than the aggregate of the amounts required for the dwelling rooms or dwelling units contained in such building by the following table:

Type of Dwelling Room or Dwelling Unit	Recreation Space Requirement

Dwelling room	4.5 square metres per room
Senior citizens housing dwelling unit	9 square metres per unit
Single persons housing dwelling unit	9 square metres per unit
Bachelor dwelling unit	13 square metres per unit
One-bedroom dwelling unit	16 square metres per unit
Two-bedroom dwelling unit	28 square metres per unit
Dwelling unit containing three or more bedrooms	37 square metres per unit

(b) No person shall erect or use a residential building or a mixed use building containing dwelling units on a lot other than senior citizens housing or single persons housing, if the portion of the recreation space required by paragraph (a) which is to be provided on the lot as personal recreation space is less than the amounts required for each dwelling unit contained in such building by the following table:

Type of Dwelling Unit	Portion of Total Recreation Space Requirement to be Provided as Personal Recreation Space
Bachelor dwelling unit	4 square metres per unit
One-bedroom dwelling unit	6.5 square metre per unit
Dwelling unit containing two or more bedrooms	9 square metres per unit

Part IV - EXCEPTIONS TO PERMITTED USES AND RESTRICTIONS ON USE

1. Notwithstanding any other provision of this by-law the lands known in the year 1985 as 255 Front Street West shall continue to be subject to the provisions of City of Toronto By-law No. 702-81;

2. Notwithstanding the provisions of paragraphs 1 and 2 of Part I of subsection (3) of Section 6 no person shall in any L8 or L9 zone erect or use any non-residential building or mixed use building in which the non-

residential gross floor area used for offices, government offices and business offices exceeds the following:

L8 zones . . . 7 times the area of the lot

L9 zones . . . 8 times the area of the lot

3. Notwithstanding the provisions of paragraphs 1. and 2. of Part I of subsection (3) of Section 6 no person shall erect or use any non-residential building, residential building or mixed-use building in a CR L0.5 U600 which contains offices, government offices or business offices;

4. Notwithstanding the provisions of paragraphs 1 and 2 of Part I of subsection (3) of Section 6 no person shall on any lot in a CR L7.8 U480 zone located east of the southerly projection of Simcoe Street erect or use any non-residential building or mixed-use building in which the non-residential gross floor area used for offices, government offices and business offices exceeds 5.7 times the area of the lot.

5. Notwithstanding the provisions of subparagraph (b) of paragraph 7. of subsection (3) of Section 6 a hotel may be constructed on a lot in a CR L7.8 U480 zone on the west side of the southerly projection of Simcoe Street, south of the Toronto Terminal Railways corridor provided that:

   (a) the non-residential gross floor area used for hotel purposes does not exceed 7.5 times the area of the lot; and

   (b) the non-residential gross floor area used for other non-residential uses permitted in subparagraphs (i) to (ix) inclusive of paragraph (b) of subsection (1) of this Section does not exceed 1.0 times the area of the lot; and

   (c) no non-residential gross floor area is used for the purposes of offices, government offices and business offices

6. No person shall in any CR district, erect or use any building or structure having more than one basement or floor level below or partly below grade containing dwelling units.

SECTION 7 - IC DISTRICTS

(1) PERMITTED USES

No person shall, within any IC district, use any lot or erect or use any building or structure for any purpose except for one or more of the following IC uses, namely:

(a) COMMERCIAL AND INSTITUTIONAL USES:

(i) RETAIL AND SERVICE SHOPS:

A grocery shop, a bake shop, a butcher shop, a delicatessen, a pharmacy, a variety or smoke-shop, a newsstand, a hardware shop, an eating establishment, a box-lunch shop, a tavern or public house, a shoe repair shop, a tailor's shop, a dressmaker's shop, a dry cleaning shop, a dry cleaner's distributing station, a laundry shop, a branch of a bank or financial institution, a personal grooming establishment, a book store, a florist shop, a retail store, an industrial computer service, a pawnbroker's shop, a second-hand shop, a pet shop, a security service, a service and repair shop, a locksmith's or gunsmith's shop, an upholsterer's shop, a fire hall, a police station; an open air market;

(ii) OFFICES:

an office, a government office, a business office, a post office, an administrative office of a non-profit institution of a religious, educational, recreational, fraternal, or philanthropic nature, a real estate office;

(iii) PLACES OF AMUSEMENT AND ASSEMBLY:

a private art gallery, a club, a place of amusement, a commercial baths;

(iv) RECREATION, SOCIAL SERVICES, ETC.:

a clinic, a commercial school, a community centre, a craft school, a day nursery, a nursery school, a public park, a trade school, a union hall;

(v) AUTOMOBILE-RELATED USES:

an automobile service station, a taxicab stand or station, a car washing establishment;

(vi) MISCELLANEOUS:

an auctioneer's premises, a cold storage locker plant, an animal hospital, an ornamental structure, a radio or television broadcasting station, a security service, a fire hall, a police station, an open air market, studio or theatre, pinball or electronic game installation;

(vii) any use which is accessory to any of the foregoing uses.

(viii) SIGNS:

a wall sign, a window sign, an identification sign, a projecting sign, a ground sign, a banner sign, a marquee or canopy sign, a roof sign, mobile sign;

(b) INDUSTRIAL USES:

(i) MANUFACTURING AND RELATED ACTIVITIES:

an artist's or photographer's studio, an automobile service and repair shop, a blacksmith's shop, a bookbinder's shop, a carpenter's shop, a ceramics factory, a commercial welder's shop, a contractor's shop, class A, a custom workshop, a data processing establishment, a duplicating shop, a film or recording studio, a fur goods factory, a garment factory, an ink factory - secondary, a laboratory, class A, a leathergoods factory, a miscellaneous textile products factory, a pharmaceutical factory - secondary, a plastic products factory - secondary, a prepared horn and bone products factory, a printing plant, a sample or showroom, a spotting and stain-removing establishment, a taxidermist's shop, a tinsmith's shop, a wholly enclosed small metal wares factory, market gardening;

(ii) packing or packaging any goods, wares or merchandise substances, articles or things mentioned in clause (i);

(iii) WAREHOUSE, STORAGE, UTILITIES, ETC.:

a cold storage plant, a parking station, a private garage, a sales or hire garage, a storage warehouse, class A, a wholesaling establishment - general;

(2) CONDITIONS TO BE SATISFIED BEFORE CERTAIN USES ARE PERMITTED

1. A public park is a permitted use provided that it does not include a stadium or arena.

2. An administrative office is a permitted use in IC districts but only if it is an administrative office of a non-profit institution of a religious, educational, fraternal or philanthropic nature.

3. Packing or packaging goods, wares or merchandise, substances, articles or things are permitted uses in IC districts provided that the goods, wares, merchandise, substances, articles or things are products of the following uses:

   an artist's or photographer's studio, an automobile service and repair shop, a blacksmith's shop, a bookbinder's shop, a carpenter's shop, a ceramics factory, a commercial welder's shop, a contractor's shop, class A, a custom workshop, a data processing establishment, a duplicating shop, a film or recording studio, a fur goods factory, a garment factory, an ink factory - secondary, a laboratory, class A, a leathergoods factory, a miscellaneous textile products factory, a motor vehicle repair shop, class A, a paper products factory, a pharmaceutical factory - secondary, a plastic products factory - secondary, a prepared horn and bone products factory, a printing plant, a sample or showroom, a spotting and stain-removing establishment, a taxidermist's shop, a tinsmith's shop, a wholly enclosed miscellaneous light manufacturing plant, a wholly enclosed small metal wares factory not exceeding a gross floor area of 475 square metres, market gardening;

4. Signs are permitted provided that:

   (a) the area of roof signs providing their area is not greater than 23 square metres;

   (b) such sign, if illuminated, is illuminated by a flashing or intermittent type of illumination;

   (c) the illumination of any such sign is so arranged that the light therefrom is not directed toward any other building or lot.

(3) REGULATIONS APPLYING TO IC DISTRICTS

PART I - DENSITY

1. **Maximum Non-Residential Gross Floor Area**

No person shall, on any lot in any D4 and D7 zone located, as the case may be, in any IC district, erect or use any non-residential building or non-residential structure having a greater non-residential gross floor area than as follows:

D4 zones	4 times the area of the lot
D7 zones	7 times the area of the lot

2. Exception: additional non-residential gross floor area: pedestrian walkways, Community services and facilities

None of the provisions of paragraph 1 shall apply to prohibit the use or erection of a building or structure on a lot having a greater non-residential gross floor area than permitted by the said paragraph in a non-residential building on a lot in an IC zone provided that:

(a) such building is located on a lot and such additional non-residential gross floor area is used for the purposes of one or more pedestrian walkways that meet all of the following standards:

(i) provide direct access between streets, parks, public buildings, and/or other public spaces or between any such space and a similar walkway in an adjacent building, a common outdoor space or a T.T.C. subway station;

(ii) are located within 5 metres of grade;

(iii) are no narrower than 3 metres at any point; and

(iv) are not used for any commercial purposes, including hotel lobbies, retail areas, commercial display areas or other rentable space;

or is used for the purposes of one or more washrooms or sitting areas that have access to such walkways;

(b) such additional non-residential gross floor area is used for the purposes of one or more of the following uses: a community centre, a day nursery, a nursery school, a union hall having a non-residential gross floor area not exceeding 1394 square metres, and does not exceed the relevant floor area as set out below:

Density Zone	Additional Non-Residential Gross Floor Area
D4 zones	0.4 times the area of the lot
D7 zones	0.8 times the area of the lot

3. Maximum non-residential gross floor area in relation to lot size

Notwithstanding the provisions of subsection 1. respecting the non-residential gross floor area permitted in non-residential buildings in an IC district, no person shall erect or use a building on a lot in which the non-residential gross floor area or portion of the non-residential gross floor area used for commercial or institutional uses as set out in subparagraphs (i),(ii), (iii), (iv), (v), (vi) and (vii) of paragraph (a) of subsection (1) exceeds an amount obtained by multiplying the area of the lot by the number following the letter "N" shown on the zoning district map that applies to the district in which the lot is located.

4. Exception: street-related retail and service uses

(a) Notwithstanding the provisions of subsection (1) no person shall erect or use a building or structure on a lot in a D4 or D7 zone in which the non-residential gross floor area used for one or more uses permitted by subsection (1) exceeds the amount prescribed for the density zone in which the lot is located by the following table:

Density Zone	Maximum Non-Residential Gross Floor Area
D4 zone	3.7 times the area of the lot
D7 zone	6.7 times the area of the lot

(b) None of the provisions of subparagraph (a) shall apply to prevent the erection or use of additional non-residential gross floor area for commercial purposes to that permitted by subparagraph (a) on a lot in a D4 or D7 zone which lot contains street-related retail and service uses, provided that such additional floor area does not exceed the lesser of:

(i) 0.3 times the area of the lot; or

(ii) the floor area determined by the following formula:

$$\text{Floor Area equals } \frac{1}{2} \times \frac{\text{the aggregate length of the portions of the frontages of the lot which face street-related retail and service uses}}{\text{the aggregate length of the frontages of the lot}} \times \text{the area of the lot,}$$

PART II - SETBACKS

No person shall erect or use any tank for the storage of propane for sale at an automobile service station within 7.5 metres of any lot containing one of the uses permitted by paragraph (a) of subsection (2) of Section 7 unless such tank is separated from the lot by an unpierced wall or fence of non-combustible construction having a height of 1.7 metres above the level of the ground adjoining the tank.

PART III - COMMON OUTDOOR SPACE

No person shall erect or use a non-residential building or a mixed-use building on a lot, if the lot has lesser common outdoor space than the amount required by the following table:

Number of frontages of the lot	Common Outdoor Space Requirement
One	1.5% of the non-residential gross floor area contained in the building or structure or 4.5% of the area of the lot, whichever is the lesser;
Two	3.0% of the non-residential gross floor area contained in the building or structure or 9.0% of the area of the lot, whichever is the lesser;
Three	4.5% of the non-residential gross floor area contained in the building or structure or 13.5% of the area of the lot, whichever is the lesser;

Four or more	6.0% of the non-residential gross floor area contained in the building or structure or 18% of the area of the lot, whichever is the lesser;

SECTION 8 - T DISTRICTS

(1) PERMITTED USES

No person shall, within any T district, use any lot or erect or use any building or structure for any purpose except any G use or one or more of the following T uses:

(a) RAILWAY USES:

a railway, including service and repair yards, a railway station

(b) PUBLIC USES

a waterworks plant, a pumping station, a transit station, a transit line, a pedestrian walkway,

(2) CONDITIONS TO BE SATISFIED BEFORE CERTAIN USES ARE PERMITTED

none

(3) REGULATIONS APPLYING TO T DISTRICTS

PART I - EXCEPTIONS TO PERMITTED USE AND RESTRICTIONS ON USE

1. Notwithstanding the provisions of subsection (1) the existing railway station, located on on the south side of Front Street, between Bay Street and York Street, containing therein such non-residential uses and non-residential gross floor area as were existing on the date of the passing of this By-law is a permitted use.

SECTION 9 - h DISTRICTS

(1) PERMITTED USES

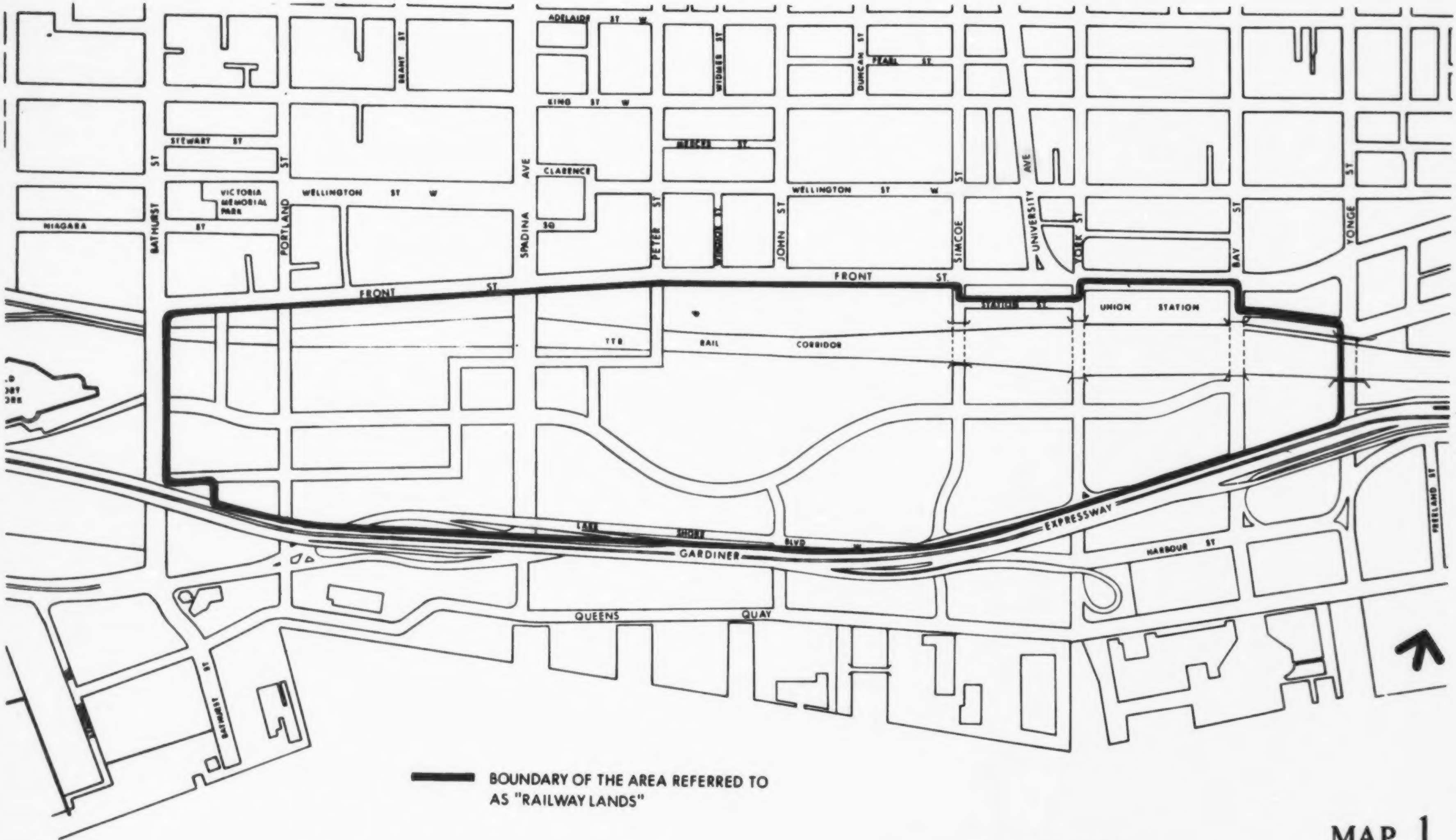
No person shall within any h district, use any lot or erect or use any building or structure for any purpose except for on or more of the T uses specified in subsection (1) of Section 8.

(2) CONDITIONS TO BE SATISFIED BEFORE CERTAIN USES ARE PERMITTED

none

(3) REGULATIONS APPLYING TO h DISTRICTS

none

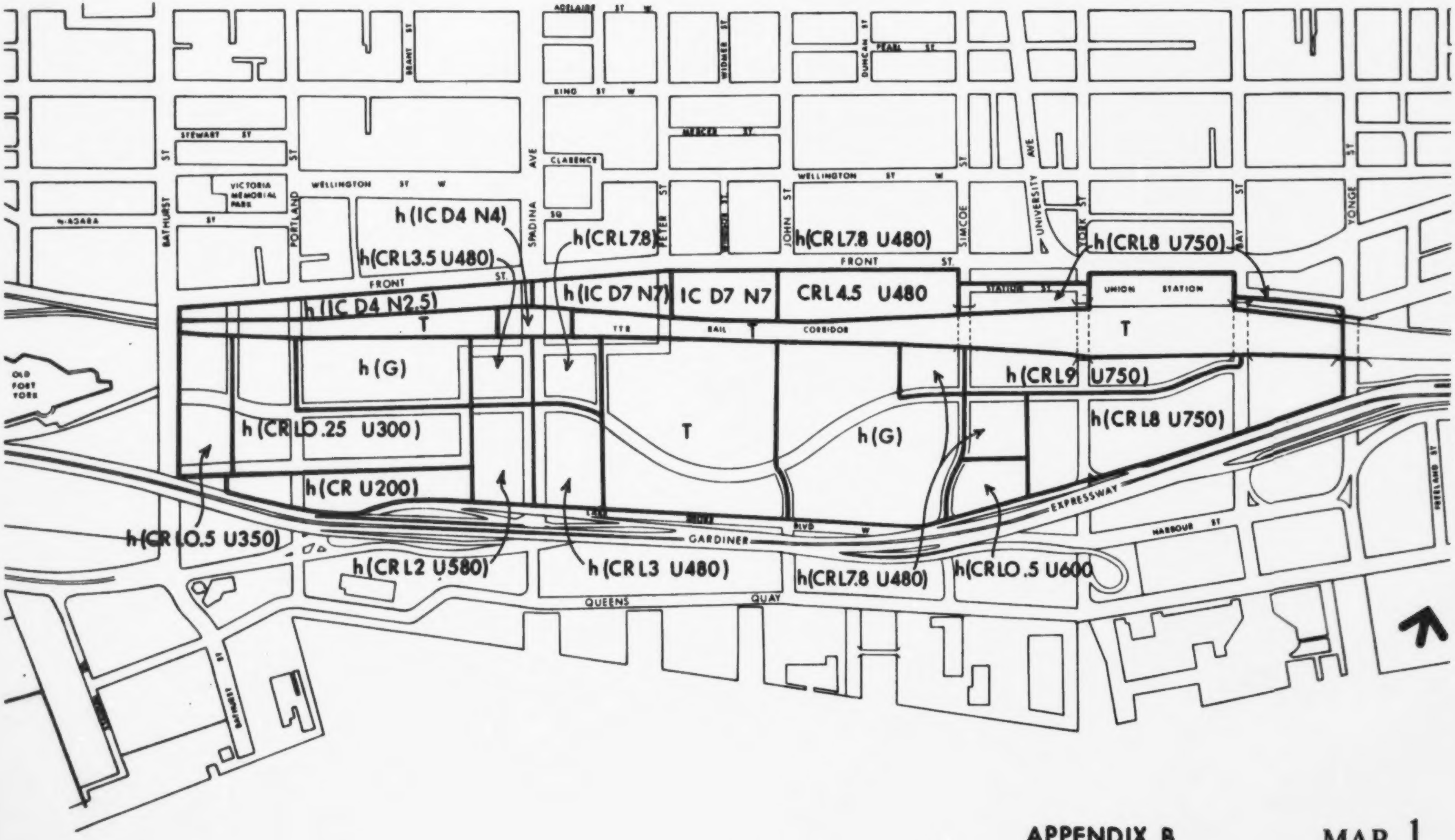

ADELAIDE ST W
KING ST W
WELLINGTON ST W
FRONT ST
STEWART ST
VICTORIA MEMORIAL PARK
NIAGARA
BATHURST ST
PORTLAND ST
BRANT ST
SPADINA AVE
CLARENCE SQ
PETER ST
WIDMER ST
MERCER ST
WINDSOR ST
JOHN ST
DUNCAN ST
PEARL ST
SIMCOE ST
UNIVERSITY AVE
YORK ST
STATION ST
UNION STATION
BAY ST
YONGE ST
TTR RAIL CORRIDOR
LAKE SHORE BLVD W
GARDINER EXPRESSWAY
HARBOUR ST
FREELAND ST
QUEENS QUAY
BATHURST ST
BOUNDARY OF THE AREA REFERRED TO AS "RAILWAY LANDS"

MAP 1

APPENDIX A

0
100
200 m

9-1E

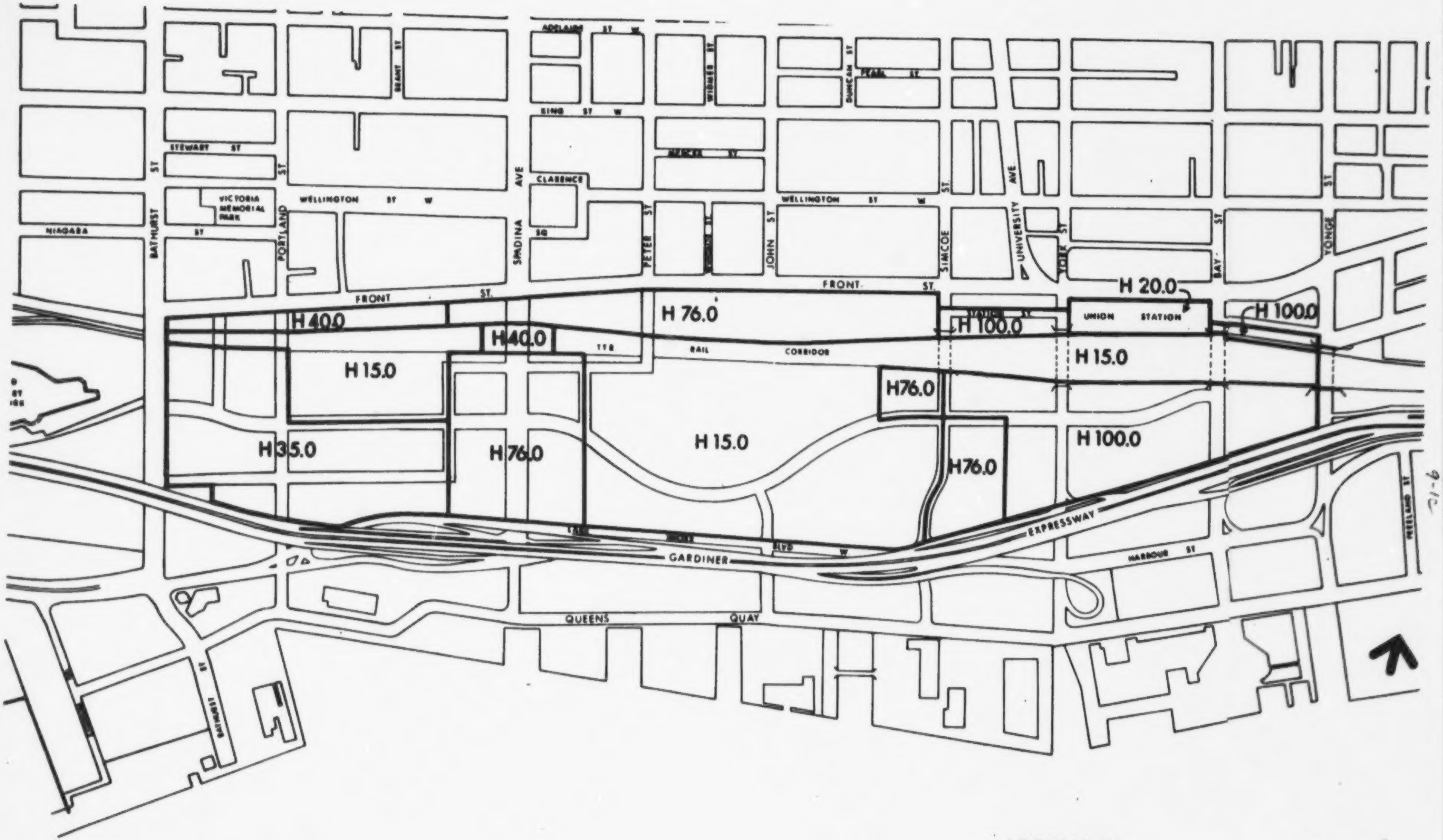

ADELAIDE ST W
KING ST W
STEWART ST
VICTORIA MEMORIAL PARK
WELLINGTON ST W
NIAGARA ST
BATHURST ST
PORTLAND ST
BRANT ST
SPADINA AVE
CLARENCE SQ
PETER ST
WIDMER ST
MERCER ST
JOHN ST
DUNCAN ST
PEARL ST
SIMCOE ST
UNIVERSITY AVE
YORK ST
BAY ST
YONGE ST
FRONT ST
STATION ST
UNION STATION
RAIL CORRIDOR
GARDINER EXPRESSWAY
LAKE SHORE BLVD W
HARBOUR ST
FREELAND ST
QUEENS QUAY
OLD FORT YORK
h(IC D4 N4)
h(CRL3.5 U480)
h(IC D4 N2.5)
h(CRL7.8)
h(IC D7 N7)
IC D7 N7
CRL4.5 U480
h(CRL7.8 U480)
h(CRL8 U750)
T
h(G)
h(CRL9 U750)
h(CRL8 U750)
h(CRLO.25 U300)
h(CR U200)
h(CRLO.5 U350)
h(CRL2 U580)
h(CRL3 U480)
h(CRL7.8 U480)
h(CRLO.5 U600)

APPENDIX B

MAP 1

0 100 200 m

9-12

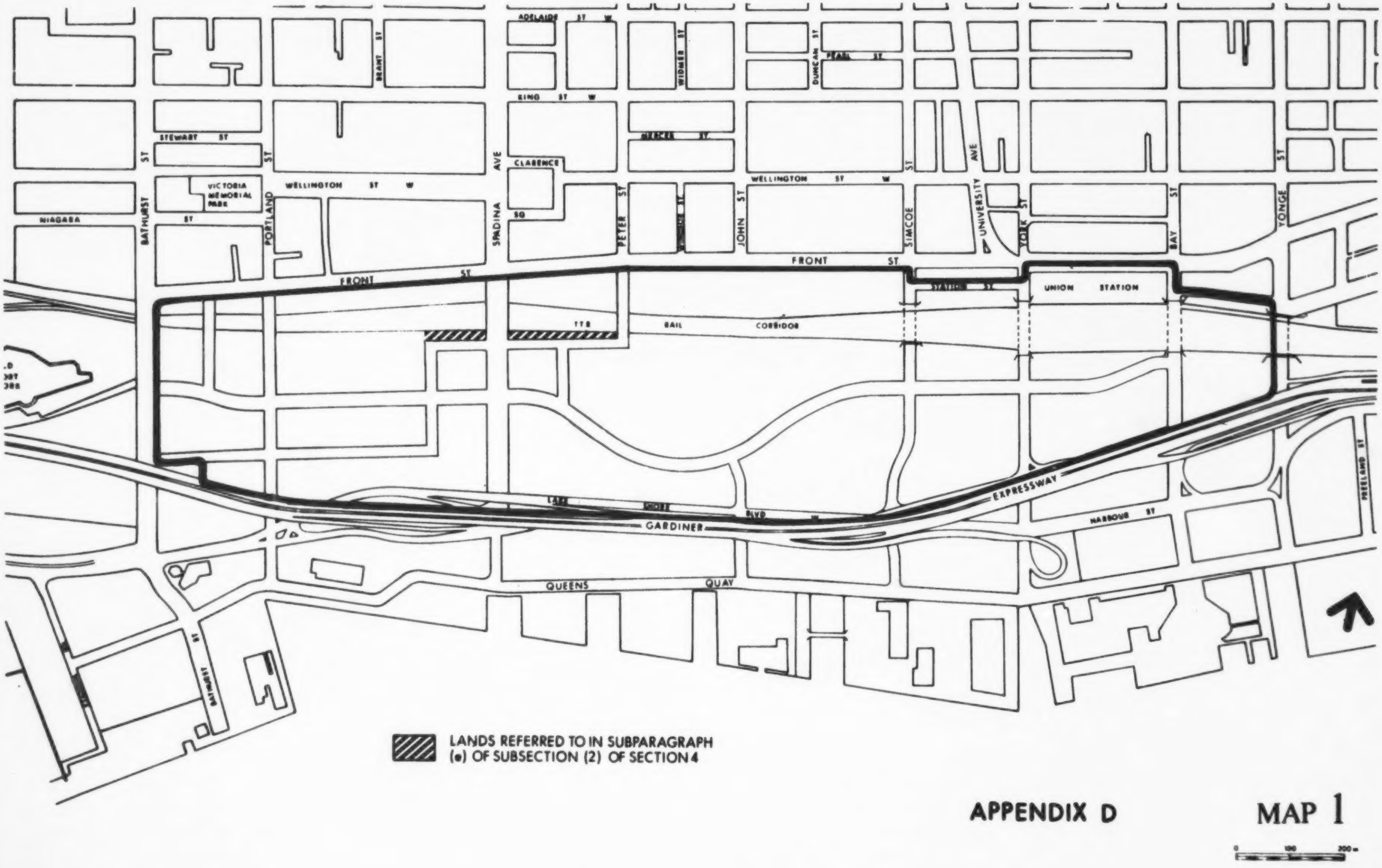

H 40.0
H 40.0
H 15.0
H 35.0
H 76.0
H 76.0
H 15.0
H 76.0
H 100.0
H 76.0
H 15.0
H 100.0
H 20.0
UNION STATION
H 100.0
FRONT ST.
RAIL CORRIDOR
GARDINER EXPRESSWAY
LAKE SHORE BLVD W
QUEENS QUAY
BATHURST ST
PORTLAND ST
SPADINA AVE
PETER ST
JOHN ST
SIMCOE ST.
UNIVERSITY AVE
YORK ST
BAY ST
YONGE ST
WELLINGTON ST W
KING ST W
ADELAIDE ST W
STEWART ST
VICTORIA MEMORIAL PARK
NIAGARA
CLARENCE SQ
MERCER ST
WIDMER ST
DUNCAN ST
PEARL ST
GRANT ST
STATION ST
HARBOUR ST
FREELAND ST

APPENDIX C

MAP 1

0
100
200 m

9-12


ADELAIDE ST W
KING ST W
WELLINGTON ST W
FRONT ST
STATION ST
UNION STATION
RAIL CORRIDOR
TTR
LAKE SHORE BLVD W
GARDINER EXPRESSWAY
QUEENS QUAY
HARBOUR ST
FREELAND ST
NIAGARA
BATHURST ST
STEWART ST
VICTORIA MEMORIAL PARK
PORTLAND ST
BRANT ST
SPADINA AVE
CLARENCE SQ
PETER ST
WIDMER ST
MERCER ST
JOHN ST
DUNCAN ST
PEARL ST
SIMCOE ST
UNIVERSITY AVE
YORK ST
BAY ST
YONGE ST
0
100
200 m

▨ LANDS REFERRED TO IN SUBPARAGRAPH (e) OF SUBSECTION (2) OF SECTION 4

APPENDIX D

MAP 1

APPENDIX 3

Copies of Responses Received as Result of Circulation of Proposals and Implementation Strategy Reports to Relevant Departments and Agencies

1. Draft letter from Ministry of Citizenship and Culture, received on July 4, 1985.

RAILWAY LANDS II: STATEMENTS

The Railway Lands contain a potential wealth of well-preserved remains of historic and prehistoric uses which were important in the evolutionary development of the Toronto Waterfront. These remains could include subterranean vestiges of naval and commercial docks, cargo, structures and sailing vessels, in addition to the above-ground remains of architectural and historical significance.

We are pleased to see that Council has recognized some of the heritage resources to be found in this area, as reflected in sections 6 and 7 of the document. The "Railway Lands Part II: Statements" could be improved by incorporating certain changes to reflect the concerns of this Branch, principally with respect to the conservation of archaeological resources. We recommend that an archaeological strategy doucment be prepared and that appropriate policies be included in the Part II plan to inform planning and development in the subject area.

Other important concerns of this Branch are the specific policies under the Heritage section, particularly the matter of the John Street Pumping Station which is not addressed, and the measures for heritage conservation contained in policies for Parks, Open Spaces and Pedestrian Systems.

It is recommended therefore that the plan be amended as follows to more comprehensively reflect our concerns. Italics indicate recommended amendments.

6. PARKS, OPEN SPACE, AND PEDESTRIAN SYSTEMS

The symbolism of remaining historic elements should be intensified through verbal and graphic means in site planing, development and interpretation to compensate for the isolation or fragmentation of individual objects. The feasibility study for a Railway Interpretive Centre addresses the site design questions in a highly complementary approach that integrates the built environment, and may provide a model for meaningful site development.

In the parks and open spaces the City will have the widest opportunities to ensure the enhancement, commemoration, interpretation and accessibility of existing and known heritage features. Therefore the following amendment is recommended:

6.3 Council will seek the provision of approximately 17 acres of land to be used as a major central park in the area generally between Simcoe Street and John Street. This park will be easily accessible from the downtown and Harbourfront, and will accommodate the renovation and reuse of the CP Roundhouse as a railway heritage and/or transportation museum, or some other civic facility. This park may also include components relating to the archaeological or historical qualities of the Site including physical remains, displays, interpretive materials, commemorative site planning, ghosting the traces of pre-existing objects, boundaries and paths, and landscaping. The western edge of this central park should be appropriately defined by the stadium building to be developed as part of the commercial complex in the eastern portion of the Spadina Sub-Centre,, etc.

It should be noted that ministry funding for museum operations is very limited, and cannot be considered a principal contributor in the development of a proposed Railway Interpretive Centre.

7. HERITAGE

(Add preface to this section outlining rationale for the changes requested.)

7.1 It is the policy of Council that aspects of the history of the railways be incorporated into the open space system of the Railway Lands by restoring and integrating significant railway heritage structures, including the CP Roundhouse, with rail access to the main line tracks, adjacent coal/sand loader, water tower, the John Street signal tower and Cabin D.

(Add preface to this section outlining rationale for the changes requested.)

7.5 Council recognized the historical significance of the John Street Pumping Station. Accordingly it is the policy of Council that this facility be fully recorded, including structure and machinery, prior to closure.

(Add preface to this section outlining rationale for the changes requested.)

7.6 It is the policy that archaeological resources be investigated, documented and if feasible conserved in accordance with a strategy developed by the City of Toronto. To this end, an archaeological strategy document will be developed by the City of Toronto to provide a systematic framework for assessment of the archaeological remains in the Railway Lands. Archival research should document historic activities. The various types of potential remains are to be assessed and classified according to their research and public interpretive value. The strategy document will outline appropriate methods for testing, identifying/documenting, recovery/mitigation and educational methods for various classes of remains. More detailed strategies may then be required for precincts as part of a precinct plan.

11. DEVELOPMENT STRATEGY

(Add preface to this section outlining rationale for the changes requested.)

11.7 A Precinct Plan shall show and contain: between (l) and (m) insert:

- a description of the extent or archaeological resources or potential resources, and phasing of investigations in accordance with priorities identified in the strategy provided by the City of Toronto.

2. Letter from L. J. Fincham, Director, Plans Administration Branch, Central and Southwest (dated June 11, 1985)

"We have reviewed the material you forwarded on this matter.

It is our understanding that each provincial agency will be responding to you directly on matters affecting their mandate. As in the past, we are prepared to assist in co-ordinating any further discussions that may be required with respect to any provincial comments. In ths matter any concerns could be addressed prior to Council adopting the document.

Based on our review, we have no further comments at this time."

3. Letter from Mr. G. H. Johnston, Assistant Deputy Minister, Ministry of Transportation and Communications (dated June 17, 1875).

"Thank you for the opportunity to comment on the above noted report. The following comments were prepared in conjunction with GO Transport and as such represent our mutual viewpoint.

Future population growth in the greater Toronto area is forecast to occur predominantly beyond the Metro boundaries. Yet, major employment opportunities will continue to develop in Metro (as well as surrounding regions) and the downtown core of the City will experience significant employment growth. Based on this scenario, it is apparent that the GO Transit Rail system will have to play an increasingly vital role in providing for commuter transportation in the greater Metropolitan area, particularly for access to the downtown.

This is even more important in light of recent reviews which indicate that short and medium term investments in the present rail system are appropriate as opposed to early implementation of an exclusive right of way concept.

The GO Rail network focuses on the Toronto Terminals Railway area and Union Station. Therefore, in reviewing the Part II Plan for the Railway Lands we are concerned that these areas retain adequate provision for future transportation needs. In this regard we are primarily concerned with:

(a) the ultimate width of the rail corridor;

(b) passenger handling at Union Station; and

(c) the GO Transport storage yards at Bathurst Street.

With respect to the rail corridor width we are concerned with policy statements in the report (paragraph 8.5.1 page 76) which would limit the total width of the corridor to that shown in Map B. We are presently studying the long range requirements in the area of Union Station. This study, expected to be completed within 2 months, will help define the number of tracks and other facilities that GO Transit, VIA and others will require. However, until this study is complete, and the findings accepted, we feel that a specific policy defining the width of the rail corridor is premature. It would be unwise to limit GO Transit's ability to help in the development of the Railway Lands.

The width of the rail corridor is particularly important in view of the potential phasing of implementation and the plan's premise that "an on-going balance between development and transportation capacity can be achieved by appropriate phasing", (paragraph 4.8.3, page 23). The first structure to be built in Financial

District "A" could very well define the absolute limit of track capacity available to future GO or VIA service demands.

The passenger concourse, platforms and trackage used by GO Transit at Union Station are approaching or have reached practical capacity with respect to both train and passenger movements. Passenger movements between GO, VIA and TTC services are already a problem and significant changes will be required to accommodate the rapid growth of passengers that goes on between and amongst these services. Because large numbers of travellers must be accommodated within a restricted area, compromises in design and passenger handling are already having to be considered. It is proposed in the Part II Plan that Union Station be used as a major pedestrian thoroughfare between Union Plaza and points to the north. This could drastically increase the problems faced at Union Station. Therefore, we cannot support the statement contained in the report that "linkages be established through Union Station"., (paragraph 8.4.1(e)). We believe that it is essential to retain and enhance, if possible, the station's ability to provide high quality access/egress to transportation patrons using the terminal.

The GO Rail North Bathurst storage yard, is of fundamental importance to the GO service operation. Any development on/or over this yard should be carefully considered so as to avoid any negative impacts on GO Transit's current or future operations.

Other aspects of the proposed development will have to be examined in greater detail before we can comment on their practicality and feasibility. These include:

(a) The development of an additional intermodal connection in the area of the "Spadina Sub-Centre";

(b) The development of a major bus terminal south of Union Station.

It appears we can support, in principle, most of these concepts, however, we do not know if they are actually feasible or how they would impact on existing services and/or limit future transportation developments.

By way of general comment, we note that the report states: The assertion "based on the average speed, (15 kph) of transit in the RL, vibration will not be perceptible at distances greater than 30m from the source". (page 55) Present rail plant upgrading will allow for train movements at up to 45 mph through this area.

As stated in our earlier correspondence, the Ministry continues to be highly supportive of implementation of the development concept. As such, we remain supportive of the transportation facilities required to service the area. As with any development of this magnitude, it will be necessary to make optimum use of existing infrastructure; to be flexible in responding to the actual pace of the development and to maximize the effectiveness of transportation investments. In this regard, I trust that the City and Metro will continue with appropriate reviews and assessments of the need for local transportation services for the Railway Lands development area.

As always, my staff remains available and willing to work closely with you in developing the transportation aspects of the development plan."

4. Metropolitan Toronto Planning Department (Report to Economic Development and Planning Committee and the Metropolitan Transportation Committee), (dated June 6, 1985).

Background

On September 12, 1983, the Commissioner of Planning and Development for the City of Toronto submitted a report entitled, "City of Toronto Railway Lands Part II Development Concept" to City Council. By correspondence dated January 11, 1984, the Clerk of the City of Toronto advised the Metropolitan Toronto Clerk that City Council requested Metropolitan Toronto officials "to comment on transportation matters on the Official Plan implementation with regard to the Railway Lands development, particularly in the context of the Central Waterfront Transportation Study". The Metropolitan Commissioner of Planning responded by letter dated August 29, 1984, to the City Commissioner of Planning on this request. The response represented a Metropolitan staff position developed from the comments of a number of Metropolitan officials.

It was concluded that:

(1) the Development Concept was an appropriate guide for the development of the Railway Lands;

(2) future growth in the Central Area inclusive of the proposed development potential of the Railway Lands, requires the implementation of several new Metropolitan transportation facilities, both road and transit, that are of a magnitude that requires amendment to the Metropolitan Official Plan and sigificant capital expenditures;

(3) while the Concept's proposed transportation systems were generally consistent with those currently being examined by other government agencies, they could not be considered by Metropolitan Council until the completion and consideration of the Central Waterfront Transportation Study (CWTS), GO-ALRT and the Downtown Rapid Transit Study (DTRS); and

(4) to ensure that office development in the Central Area proceed only in concert with the capabilities of the transportation system, it would be necessary to establish a joint Metropolitan-City office development/transportation monitoring program.

Following City Council debate of the Concept, and the former Premier of Ontario's January 17, 1985 announcement that a covered stadium (Dome) would be constructed at the base of the CN Tower in the Railway Lands, City Planning staff prepared two reports entitled "Railway Lands Part II Plan; Proposals" and "Railway Lands Part II Plan: Implementation Strategy". These two documents represent the middle stage in the planning process for the Railway Lands between the Development Concept and an adopted Part II Plan Amendment to the City Official Plan. Due to the desire to commence early construction of the Dome, it is expected that City Council will consider adoption of a Part II Plan for the Railway Lands in September of this year.

In a letter dated April 2, 1985, the City Commissioner of Planning and Development requested the Metropolitan Commissioners and the General Manager of the Toronto Transit Commission to comment on the Part II Plan Proposals and the Implementation Strategy. Although a Metropolitan staff response would normally be sufficient at this point in the planning process, it is considered appropriate to provide your Committees with information on this major land use proposal which is so closely linked with the proposed transportation improvements being considered in this area. The City's final decision on a Part II Plan, including its response to the Metropolitan staff comments which follow will be reported for your Committee's and Council's consideration at a later date.

Comment

(1) Land Use

The Part II Plan Proposals divide the Railway Lands site, which is approximately 81 hectares (200 acres), into eight land use districts (attached Map C). For discussion purposes, the eight districts have been refined to five general land use areas as shown in the context of Central Area development (attached Map 1) and described as follows:

(a) Financial District;

(b) Major Parkland Area;

(c) The Dome;

(d) Spadina Sub-centre; and

(e) Bathurst-Sapdina Neighbourhood.

(a) Financial District

The Railway Lands Financial District, between Simcoe Street and Yonge Street, is a logical extension of the existing Financial District south of Front Street as it is situated adjacent to Union Station, the focal point of local and regional transit facilities. The City of Toronto Part I Official Plan currently permits 540 000 square metres of office space in this area provided that at least 2 350 housing units are provided for in the Central Core area of the Railway Lands. The current Proposals would permit 686 000 square metres of office use in this area, provide for some 650 residential units and permit additional residential use at a density of 400 units per hectare without reducing the permitted commercial density.

Being located at the hub of the transit system this proposal to increase the high level of office development already permitted on the Financial District portion of the Railway Lands does not materially change the basic issue of having to co-ordinate certain transportation improvements with the existing level and future rate of development in the Central Area as a whole, as discussed further under (3) Transportation.

(b) Major Parkland Area

West of the Financial District, a central park of approximately seven hectares (17 acres) is proposed. The CN Tower and the CP Roundhouse which is to be retained for its historical significance, are included in this major open space area. The development of this park does not involve Metropolitan responsibilities or commitments.

(c) The Dome

On January 17, 1985, the Premier of Ontario announced that a dome stadium was to be constructed at the base of the CN Tower on CN and Metropolitan-owned lands, a portion of which are occupied by the John Street Pumping Station and the central maintenance and operations yard of the Metropolitan Works Department.

At its meeting on January 22 and 23, 1985, Metropolitan Council approved, with amendments, Report No. 2 of the Metropolitan Executive Committee concerning a report entitled "A Covered Stadium and Multi-Purpose Facility For Metropolitan Toronto". The main Metropolitan concerns identified in that report were the relocation of the John Street Pumping Station on nearby CN-owned lands, and the provision of a new Works yard by CN to replace the existing facilities, at no cost to the Metropolitan Corporation.

Negotiations are currently underway between CN Real Estate, the Ontario Stadium Corporation, the Metropolitan Chairman's Office and the Metropolitan Works Department respecting the above matters and the allocation of other development rights to the remaining Metropolitan owned lands.

The Dome Precinct Plan should not be approved until successful conclusion of those negotiations.

(d) Spadina Sub-centre

The Part II Plan Proposals provide for a high density mixed commercial-residential area centred on the intersection of Spadina Avenue and The Esplanade West (the planned major east-west City roadway through the Railway Lands). The Proposals would permit approximately 333 000 square metres of commercial space (of which a maximum of 306 000 square metres may be used for office) and encourage the development of approximately 2,200 residential units. This proposed office-commercial development, along with a further 186 000 square metres (maximum 151 000 square metres for office) along Front Street in both the Spadina and Bathurst areas, is a major new addition to the development potential of the Central Area and will require phasing with the implementation of additional transportation facilities.

(e) Bathurst-Spadina Neighbourhood

Approximately 8.46 hectrares (20.91 acres) of Railway Lands between Spadina Avenue and Bathurst Street are proposed as a residential neighbourhood comparable in scale and form to the St. Lawrence Neighbourhood. Through the Part II Plan Proposals' designations and assigned densities, the City anticipates the production of approximately 2,300 housing units in the Bathurst-Spadina Neighbourhood. For the Railway Lands as a whole, the Part II Plan Proposals' housing policies would provide for 5,150 units. Almost all of these units would be produced in the western portion of the Railway Lands in the Spadina Sub-centre and the Bathurst-Spadina Neighbourhood. New residential development in the Central Area near employment activities is a common goal of the Metropolitan and City Official Plans.

The proposals generally ensure that residential development proceeds along with office development throughout the Railway Lands by (a) requiring that the City be provided with 5.5 hectares of land for housing; and (b) through controls exercised by the City in the Precinct planning process. While the City will require provision of units for various types of households and income groups it is suggested that the development of smaller and more affordable units, particularly for elderly or single people, will become more feasible if the City incorporates the option of calculating permitted residential density by floor space index rather than just by units per hectare.

(2) Employment

The Part II policies would permit a total of 1 408 580 square metres of non-residential use of which a maximum 1 143 000 square metres may be used for offices. Approximately 60 per cent of the permitted office space is allocated to the lands east of John Street where existing transit services are concentrated. The 1 408 580 square metres of non-residential use does not include the floor area of the covered stadium. It is estimated that the permitted commercial development, including the Dome, could produce up to 50,000 jobs, this being just less than 40 per cent of the 130,000 long-term future employment potential identified for the Central Area as a whole.

It is not anticipated that these levels of employment will be reached within the time frame currently used in the Metropolitan Official Plan. In the preparation of this Plan, it was assumed that employment growth in the Central Area to the year 2001 would be about 52,000 from an originally estimated level of 387,700 in 1976. However, more accurate employment counts by Metropolitan Toronto and the Census for 1981 suggest that the original 1976 estimate was in the order of 30,000 too high. Using this revised employment data base for 1981, current projections for 2001 (i.e., 424,000) remain less than the original Plan total. The net effect is that the Central Area share of total employment growth in Metropolitan Toronto for the period 1981-2001, including some development of the Railway Lands, would, if both Central Area and total employment growth fulfill projections, be about 25 per cent, compared to the 22 per cent share contained in the original Official Plan estimates for the period 1976-2001.

On November 23, 1983, a joint meeting of the Economic Development and Planning Committee and Transportation Committee had before it for information, a report entitled "Central Waterfront Transportation Study, Implementation of Metropolitan Official Plan Relating to Centres". The report examined the impact of future growth in the Central Area, including the Railway Lands, in relation to Major and Intermediate Centres designated in the Metropolitan Official Plan. In general, Metropolitan Planning staff concluded that the Railway Lands development would not have a negative impact on the growth of Centres as the latter seem to have established their own development impetus. Therefore, the development of the Railway Lands envisaged by the Part II Plan Proposals is not inconsistent with the Central Area and Centres policies of the Metropolitan Official Plan.

(3) Transportation

(a) Regional Issues

To enable contined development in the Central Area including the Railway Lands, at levels of service currently considered acceptable, Metropolitan staff have recommended that several regional transportation improvements are required. These were identified in the CWTS. The most important road improvements determined to be necessary are the extension of Front Street, west of Bathurst Street to connect with the Gardiner expressway and the widening of the Gardiner Expressway from that point to the Humber River. As noted in the CWTS, the Front Street extension would provide an additional access route into the downtown area and reduce connections to the Gardiner Expressway. Other important road improvements included the elimination of the jog in Dufferin Street at Queen Street and the extension of Dufferin Street through Exhibition Place to connect to Lake Shore Boulevard.

Environmental and engineering feasibility studies for all the above road improvements were approved by Metropolitan Council at its meeting on May 28, 1985, and should be completed in 1986. Council will then be in a position to determine an implementation program to ensure reasonable road accessibility to the Central Area, which is referred to in the Metropolitan Official Plan as the "... pre-eminent centre for the Metropolitan Region".

It is considered necessary by Metropolitan staff that prior to the implementation of any additional office-commercial development in the Central Area beyond that accommodated by existing City of Toronto Official Plan policies, commitments be in place to implement the proposed Front Street extension and the Gardiner widening. The City's Official Plan would now accommodate in the Railway Lands some 540 000 square metres of office-commercial development and as Precinct Plans are processed incrementally, it is considered essential that Metropolitan Toronto have a mechanism put in place for the orderly review and approval of such development proposals. The issue of development processing is discussed in another section of this report.

With regard to transit, the Downtown Rapid Transit Study has recommended the construction of a rapid transit relief line between Pape subway station in the east and Spadina Avenue in the west. The preferred alignment west of the Don River is within the railway corridor between Union Station and Spadina Avenue. This line has been included in the recently released "Network 2011" rapid transit expansion program as the second stage of implementation (construction to begin 1993 and end in 1998). The actual timing of construction of the relief line would be dependent on the results of five-year reviews of the rapid transit expansion program. These reviews would take into account the results of a comprehensive development/transportation monitoring program to be initiated for the Central Area.

The Harbourfront and Spadina LRT lines, proposed in the CWTS, are distribution services that together provide a link between the Bloor-Danforth and Yonge-University subway lines. The two transit lines cross the Railway Lands with the Harbourfront LRT terminating at Union Station. The Spadina LRT portion of this system is viewed as an important element in providing subway relief until such time as the downtown rapid transit line is built. Prior to the opening of a downtown rapid transit relief line, the Spadina LRT line, or a high quality transit service to Union Station via the Esplanade West, should be committed prior to construction of any significant office-commercial development in the Railway Lands west of John Street.

With proposals for a Harbourfront/Spadina LRT system and a downtown rapid transit line both of which would connect to Union Station and the need for continued expansion of the GO Transit commuter rail system, there is a possibility that Union Station will have to be expanded. A study of the future transportation needs related to Union Station is now underway under the auspices of the Railway Lands Steering Committee. The Proposals recognize the significance of Union Station to the development of the Railway Lands and indeed the entire Central Area.

The Part II Proposals do not preclude these regional Metropolitan transportation improvements and specifically provide for the York Street and Spadina Avenue road and bridge improvements. CN Real Estate and Marathon will benefit greatly from these transporation improvements that accommodate the development in the Railway Lands without a potential deterioration in the overall level of transportation accessibility for the Central Area. Prior to implementation of any office-commercial development in the respective Precincts that are oriented to either of these roads, satisfactory arrangements regarding the financing of these improvements must be made between Metro and the development companies.

These two development companies also have a major role to play in the feasibility of the Front Street extension, the Harbourfront LRT and the relief line, because the development of these facilities requires using or crossing lands owned, or in part controlled, by their respective associated railway companies, CN Rail and CP Rail. Therefore, prior to the final approval of the Part II Plan, the two development companies should agree to make available to the Metropolitan Corporation, at a nominal cost, such railway lands or easements that may be required for the following facilities, if and when such facilities are approved by Council:

- the Front Street extension, west of Bathurst Street to the Gardiner Expressway;
- The Harbourfront LRT station and loop at Union Station; and
- the relief line between the Don River and Uion Station.

(b) Transporation Requirements for Development of Specific Areas with the Railway Lands

(i) Financial District

As noted previously, the Proposals would permit 686 000 square metres of office space in this area. This is significantly greater than the 540 000 square metres for which Official Plan commitments have been made. This additional amount of development can only be supported by Metropolitan staff provided that there are commitments to build the Front Street extension, and widen the Gardiner Expressway. Furthermore as any development proceeds within this area, it will be necessary to widen York Street and extend Simcoe Street under the rail corridor. The widening of York Street south of Front Street will require that the right-of-way be increased to 30 metres to accommodate six lanes of through traffic.

Prior to specific commitments to the earlier mentioned regional transportation improvements as recommended by Metropolitan staff, it may be reasonable to consider some interim reallocation between the Precincts of the presently committed 540 000 square metres of office development. Any proposal in this regard would have to be reviewed by Metropolitan staff with regard to other transportation improvements required for such Precincts.

(ii) The Dome

As indicated in Report No. 2 of the Metropolitan Executive Committee as adopted with amendments by Council at its January 22, 1985, meeting, no transportation improvements to the Metropolitan systems are required to accommodate a domed stadium. A number of local roads within the Railway Lands will however, be required and staff are currently reviewing a submission for the "Dome Precinct". While the reconstruction and widening of the Spadina Avenue bridge to the same width as the Spadina Avenue right-of-way north of Front Street is not specifically required for the Dome itself to proceed, it is required for the development of the westerly portion of the Railway Lands and of course would improve access to the Dome.

(iii) The Spadina Sub-centre

This proposed office-commercial development to the extent proposed by the Part II Plan should not be released for implementation without the introduction and support of additional high quality transit service. If development is to proceed prior to the completion of the downtown rapid transit relief line, the implementation of the Spadina LRT service or a high quality transit service to Union Station via the Esplanade West, should provide reasonable transit support to accommodate such development. In respect of the Spadina LRT service, a protected right-of-way is necessary and this will require the reconstruction and widening of the Spadina bridge, which would also provide for six through traffic lanes. The Esplande West is an essential roadway to the development and operation of the Railway Lands. Accordingly, the Part II Official Plan should establish a minium right-of-way of 30 metres for this road so as to accommodate a transit service on its own right-of-way.

With regard to road improvements, as noted previously, Metropolitan staff are of the opinion that the Front Street extension and the Gardiner Expressway widening should be committed before any office development beyond that now permitted by the City Official Plan takes place in the Central Area. If the subject Part II Plan is amended to accommodate Metropolitan interests in the development control process, this issue can be properly addressed in the future as development takes place incrementally.

The Bathurst-Spadina Neighbourhood and the Major Parkland Area do not require Metropolitan commitments to improve transportation services and/or facilities.

(4) The Development Process

For redevelopment purposes, the Lands have been subdivided into twelve precincts illustrated on Map 2, appended to this report. Except for the Dome Precinct, which includes the proposed John Street water pumping station site, a holding zoning by-law, as permitted by Section 35 of the Planning Act, is to be applied by the City of Toronto to all precincts. Development in the Dome Precinct is proposed to be permitted by enactment of a conventional zoning by-law passed under Section 34 of the Planning Act. No redevelopment of lands, subject to a holding zoning by-law, may occur until City Council considers and approves an application to remove the holding status. An application to remove the holding symbol will be circulated for review and comment to agencies involved in the development or servicing of the area affected by the application. To remove the holding status on a given precinct, the proponent is required to prepare and execute a Precinct Plan, a Precinct Agreement, an Environmental Report, an Environmental Agreement and a Concept Plan. These plans and agreements have to satisfy City requirements specified in the Part II Plan, as well as an overall agreement between the City and major landowners, called a Memorandum of Conditions, which identifies such matters as servicing, land transactions and cost sharing. Disputed matters that impede the removal of the holding by-law may be referred to the Ontario Municipal Board to resolve the issue(s).

Normally a zoning by-law passed under Section 34 of the Planning Act, is subject to the usual provisions for third part representations and appeals. However under Section 35 of the Planning Act, the procedures for removal of the holding designation by an amending by-law, essentially preclude third party interests, including the Metropolitan Corporation. On the other hand, since environmental issues are an important aspect of Railway Lands development, the required Precinct/Environmental Agreements between the City and the land owners. While the process provides for Metropolitan input, it does not ensure that Metropolitan interests would necessarily be properly addressd. One way of overcoming this concern would be to amend the Part II Proposals to also include the Metropolitan Corporation as a third part to Servicing Agreements. The problem with this solution, however, is that Metropolitan Toronto may require enabling legislation to enter into such agreements. Alternatively, Metropolitan Toronto's interests could be secured by requiring that the Railway Lands be processed by way of plans of subdivision. This very important issue is currently under review by Metropolitan and City staff and we presume that, by the time the Part II Plan for the Railway Lands is before City of Toronto Council in September, a mutually acceptable solution will result. In any circumstances, however, we will be reporting more specifically on this matter when the City sends their approved document to the Minister of Municipal Affairs and Housing, and as a consequence thereof Metropolitan Toronto is requested to provide its comments to the Minister.

In respect of the actual Dome Stadium portion of the Dome Precinct, the Metropolitan Corporation can ensure its interests are secured and protected by virtue of ownership of lands required for the Dome Stadium. Accordingly, processing of this facility could proceed as now contemplated.

(5) Conclusion

Metropolitan staff have concluded that for the full development potential of the Central Area major improvements to Regional/Metropolitan transportation facilities will be required to keep pace with the rate at which such development is expected to be realized. The Railway Lands, when fully developed, are

"5.2 It is the policy of Council that certain community services and facilities, other than schools, in the Railway Lands should be located close to places of concentrated pedestrian activity, and that those community services and facilities which serve primarily the residential population of the Railway Lands be within ready walking distance of areas containing housing suitable for families with children. Council will encourage the provision of work place daycare facilities where appropriate."

(2) That the term "if any" be inserted after the word schools in line two of clause 5.3, so that clause 5.3 would read:

"5.3 It is the policy of Council to encourage the shared use of schools, if any, and community service facilities in the Railway Lands."

(3) That the word "within" be replaced by the term "who live within" in the last line of clause 5.4, so that clause 5.4 would read:

"5.4 It is the policy of Council to consult with the provincial Ministry of Education, the Toronto Board of Education and the Metropolitan Separate School Board, in order to ensure that schools will be provided as necessary for anticipated elementary and secondary school students who live within the Railway Lands."

(4) That clause 5.5 be replaced in its entirety by the following:

"5.5 If school facilities are to be located within the Railway Lands, it is the policy of Council to use the following criteria in siting school buildings and/or school playgrounds:

(a) The school building and/or school playground is to be located 500 metres or more from any plant which in the five years preceding the development has had an unsatisfactory record for controlling lead, cadmium, sulphur dioxide or similar pollutants, unless the City has designated the necessary funds for acquisition and/or expropriation of such plant, provided in such cases, that the management of environmental pollution of residual soil has also been carried out effectively.

(b) The school building and/or school playground is to be located (if possible) 500 metres or more from any freeway or railway line (and in no instance closer than 190 metres).

(c) The location of the above mentioned facilities is to be also consistent with the safeguards and measures set out in any relevant Environmental Report or Enviromental Reports prepared by the Board of Education for the City of Toronto.

(d) These users can be located within a Major Parkland Area only if they are developed and operated in a manner which insures that at least five acres of the Major Parkland Area will be laid out and used as a Park."

so that the complete Section would read:

"5. Schools and Community Services and Facilities

5.1 Council will seek to ensure the provision of a full range of appropriate community services and facilties necessary to service the resident and working population within the Railway Lands, including primary and secondary schools, day care, primary health care, library, social welfare, fire and police services and facilities.

Accordingly, it is the policy of Council to seek the financial and other assistance of the appropriate agencies and other levels of government in the construction and operation of such community services facilties.

5.2 It is the policy of Council that certain community services and facilities, other than schools, in the Railway Lands should be located close to places of concentrated pedestrian activity, and that those community services and facilities which serve primarily the residential population of the Railway Lands be within ready walking distance of areas containing housing suitable for families with children. Council will encourage the provision of work place daycare facilities where appropriate.

5.3 It is the policy of Council to encourage the shared use of schools, if any, and community service facilities in the Railway Lands.

5.4 It is the policy of Council to consult with the provincial Ministry of Eduction, the Toronto Board of Education and the Metropolitan Separate School Board, in order to ensure that schools will be provided as necessary for anticipated elementary and secondary school students who live within the Railway Lands.

5.5 If school facilities are to be located within the Railway Lands, it is the policy of Council to use the following criteria in siting school buildings and/or school playgrounds:

(a) The school building and/or school playground is to be located 500 metres or more from any plant which in the five years preceding the development has had an unsatisfactory record for controlling lead, cadmium, sulphur dioxide or similar pollutants, unless the City has designated the necessary funds for acquisition and/or expropriation of such plant, provided in such cases, that the management of environmental pollution or residual soil has been carried out effectively.

(b) The school building and/or school playground is to be located (if possible) 500 metres or more from any freeway or railway (and in no instance closer than 190 metres).

(c) The location of the above mentioned facilities is to be also consistent with the safeguards and measures set out in any relevant Environmental Report or Environmental Reports prepared by the Board of Education for the City of Toronto.

(d) These uses can be located within a Major Parkland Area only if they are developed and operated in a manner which insures that at least five acres of the Major Parkland Area will be laid out and used as a Park."

B. That the Board of Education commends the planners for achieving a good north-south cross connection with the siting of the Domed Stadium, that the Board recommends that it would be desirable to make sure of provisions in the design to retain this access also for wheelchair users and for children on bicycles.

That it would, moreover, appear desirable not to block the construction in the more distant future of a similar connection for pedestrians, wheelchair users and children on bicycles from Front Street all the way across the Gardiner to the waterfront on the approximate alignments of Brant Street and Peter Street, and that the alignments of these two bicycle paths and pedestrian ways might as well be segregated from the carbon monoxide fumes of car traffic.

C. That it woud appear to the Board that environmental issues have been understated, raising concern at the Board about the resulting likelihood of a retention of less than desirable living conditions for school age children even into the future."

6. Letter from Mr. J. P. Howarth, Superintendent of Planning, Metropolitan Separate School Board (dated May 3, 1985).

"The above reports have been reviewed by staff of the Planning Department. Other than the introduction of the domed stadium in the Railway Lands development, it appears that the Part II Plan above is very much in line with the material presented in the previous report which the Board commented on, Railway 1Lnds Part II: Development Concept. At its meeting held on 19 January 1984, the Metropolitan Separate School Board approved the following:

> "... that the City of Toronto be advised that a separate school site will be required in the Railway Lands Development."

This concern was addressed in the report, Railway Lands Part II Plan: Proposals, which allows for the location of a school site or sites adjacent to a part in the west end of the development."

7. Letter from Mr. Peter A. Fischer, Senior Environmental Planner, Land Use, Operational Services Section, Ministry of the Environment (dated May 1, 1985).

"Staff in our Central Region and I have reviewed the reports entitled "Railway Lands Part II: Proposals" and "Railway Lands Part II: Implementation Strategy".

The proposed s.9.0 Environment of the Part II Plan is as this Ministry had agreed to. We have discussed our review with Mr. D. P. Caplice, Assistant Deputy Minister, Regional Operations Division and have no further comments."

8. Letter from A. S. Macpherson, M.D., M.Sc., Medical Officer of Health, Department of Public Health (dated May 1, 1985).

"I appreciate your invitation to comment on the reports entitled, Railway Lands Part II: Proposals and Railway Lands Part II Plan: Implementation Strategy.

The concerns that I will raise involve the issue of housing in the Railway Lands. As you know, I and the Board of Health have taken the position that lack of affordable housing in Toronto is a serious public health problem. I believe that provision of affordable housing in the downtown core should be a major objective of the Part II Plan for the Railway Lands.

I find the absence of a means of guaranteeing substantial development of housing in the Railway Lands to be a great shortcoming of the Part II Plan. Since I dealt with this issue at length in my March 11, 1985 letter to you, I will be brief in restating my concerns as they related to the above-mentioned reports.

1) Neither Railway Lands Part II Proposals nor Railway Lands Part II Plan: Implementation Strategy offers sufficient assurance that the City will guarantee achievement of the housing targets it has established for the Railway Lands. As it is now written the Part II Plan allows for the possibility of little or no housing being developed in the Railway Lands.

2) Similarly, the Part II Plan does not guarantee that housing will be built at each phase of development - i.e., as each precinct is developed.

3) The only mechanism that does exist in the Plan for facilitating achievement of housing targets (i.e., requiring land conveyances) is undermined by Section 11.17, the "Notwithstanding" clause, which makes it possible for City Council to waive conveyance to the City of lands designated for housing.

These are my major objections to the Part II Plan. I hope that you will find my comments useful, and that you will give additional consideration to ways of guaranteeing attainment of housing targets for the Railway Lands through the Part II Plan."

9. Letter from Mr. George Vrachas, Manager, Plan Examination, Department of Buildings and Inspections (dated April 29, 1985).

"This is with reference to your April 2, 1985 letter.

I have reviewed the brochure "Railway Lands Part II: Implementation Strategy" attached to your aforesaid letter and advise as follows:

1. The proliferation of local Zoning By-laws in the City of Toronto is a matter of great concern to this Department from an administrative and training point of view. Although I can appreciate the fact that special identity areas with unique characteristics and particular requirements are at times better served when provided with a local Zoning By-law dealing in its entirety with specific issues for that area, I would recommend that their use be reduced to an absolute minimum.

   Should you deem advisable that the Railway Lands be subject to the provisions of a local Zoning By-law as in the case of the Harbourfront Area, I suggest that such By-law be comprehensive and without cross-reference to Zoning By-law 20623.

The benefits of such a completely independent local Zoning By-law could be summarized as follows:

(a) easier to comprehend and handle (both by staff and public),

(b) will expedite the processing of the Building Permits, and

(c) will not be adversely affected by inadvertent amendments to By-law(s) to which it is cross-referenced to.

2. Area and block densities similar to those in the Harbourfront By-law should be avoided as they generate administrative difficulties at the last Phase of a block when the residual available density of such block is to be determined and agreed upon. Difficulties usually arise when Departmental records or assurances and agreements with previous developers of parts of a "block" are being questioned or disputed by the developer of the residual part of such "block".

3. The By-law (or By-laws) for the Railway Lands, when available, be forwarded to this Department for technical comments prior to its/their submission to the Land Use Committee and/or City Council."

10. Letter from Ian R. Brown, General Manager, Toronto Harbour Commission (dated April 26, 1985).

"The Toronto Harbour Commissioners wish to comment on the proposed pedestrian connections extending south from Union Station as part of the Railway Lands Part II.

In our view, improved pedestrian access to the Harbour Commissioners' lands at Bay and Harbour Street is essential to connect the Central Bayfront to the Downtown. Indeed, to achieve the goal of linking the Downtown to the Waterfront, several additional pedestrian linkages from Union Station to the south must be created. To this end, we support the intent expressed in the Railway Lands Part II Plan for several possible connections. Map D of the Railway Lands Part II Proposals Report, in particular, suggests certain pedestrian connections to the lands south of the Lakeshore Boulevard. However, Map D indicates only one mid-block pedestrian connection across Lakeshore Boulevard linking Union Station to the area south of the Lakeshore Boulevard. The Toronto Harbour Commissioners requests that Map D be amended to allow for an additional possible connection along the west side of Bay Street through the Canada Post Building and a bridge over Lakeshore Boulevard closer to Bay Street. Our reasoning for this request is that the precise solution or solutions to link up the Commissioners' Bay Street lands with Union Station will emerge out of future work being done by staff consultants, and developers, and this amendment to Map D will reflect the flexibility of the situation as well as an openness to consider the best possible options for these future connections.

In our view the future major pedestrian connection linking Union Station to development in the Central Bayfront should be weather-protected and climate-controlled, given the reality of at least six months a year of inclement weather in association with a rather "hostile" environment created by the rail corridor/tunnel and Gardiner/Lakeshore Boulevard components.

One additional, but related, concern we have with the Railway Lands Part II Proposals plan is the intersection of Esplanade West with Bay Street. The future car, truck and surface transit traffic concentrated at this intersection will create problems for pedestrian movement both at and above grade. This intersection will require sensitive planning and design in order to achieve a successful pedestrian connection between Union Station and development south of Esplanade West."

11. Letter from Mr. A. H. Savage, Chief General Manager, Toronto Transit Commission (dated April 23, 1985).

"On April 1, 1985, the Secretary of the Land Use Committee of the City of Toronto submitted the above-noted reports to the Toronto Transit Commission and requested the comments of the Commission.

The Toronto Transit Commission has undertaken a detailed assessment of the proposals and implementation strategy for the development of the Railway Lands. This evaluation is included as an attachment to this letter.

The TTC cannot endorse approval of the development of the Railway Lands, as provided in the "Railway Lands Part II: Proposals" and "Railway Lands Part II: Implementation Strategy" documents until the following conditions are satisfied:

1. An agreement is obtained from the developers of the Railway Lands to pay for the following: the full cost of pedestrian connections to rapid transit stations located in or adjacent to the Railway Lands and for pedestrian connections from the Stadium to Union Station; and the full cost of reconstructing and widening the Spadina bridge over the rail corridor.

2. A commitment is obtained from the developers of the Railway Lands and included in the Railway Lands Plan and Implementation Strategy for the dedication of the following properties and rights-of-way required for new public transit capital facilties required to serve the Railway Lands:

(i) Dedicate right-of-way required for the Spadina LRT (i.e. Spadina Avenue right-of-way) and for the Waterfront rapid transit line;

(ii) dedicate any required railway right-of-way beyond the Railway Lands from Exhibition Place in the west to Greenwood in the east for the Waterfront and "relief" and rapid transit lines;

(iii) dedicate (any railway) property required to provide a storage yard facility for the Waterfront rapid transit line in the event that construction of this line precedes construction of the "relief" line; and

(iv) dedicate any property in the vicinity of Union Station required to integrate the Harbourfront LRT line with the subway system.

3. The proposed new transfer point on Spadina Avenue for the regional and local transit services must be planned to take into account the planning and design of the Spadina LRT system and the re-building of the Spadina Avenue bridge, and all associated costs should be incorporated into the developer contributions.

4. The proposed new bus terminal location south of Union Station is not considered appropriate because of the difficulty in providing a suitable bus facility here and the proposed TTC redevelopment of the bus terminal at Bay and Dundas Streets.

5. The design of the proposed weather-protected east/west pedestrian way, between the John Street pedestrian bridge and Union Station should be an important and integral element in the stadium design and may include speedwalks.

6. The "Memorandum of Conditions" can establish that any proposed development provide cost-sharing, property and rights-of-way arrangements for services. Transit should be specifically included as one of these services. This document could be used to guarantee the developer contributions.

I believe we all agree that in the long-run the Railway Lands should be developed to more productive purposes. However, the land use proposals and implementation strategy for the development of this large Downtown site must be refined to include some agreements with respect to the cost-sharing arrangements and dedication of property and rights-of-way for the required transit facilities. We and a number of other agencies look forward to the resolution of an acceptable transit plan for the Railway Lands."

12. Letter from Mr. R. L. Borden, Vice-President, VIA Ontario (dated April 23, 1985)

"I would like to thank you for your letter of April 2, 1985 in which you included the reports "Railway Lands Part II: Proposals" and "Railway Lands Part II Plan: Implementation Strategy".

I have reviewed these documents and was pleased to see reiteration of the City's commitment "that adequate rail capacity will be ensured so that inter-city passenger service... can be improved." I was also pleased to see that it is the City's policy to "ensure the satisfactory functioning of the Union Station complex."

There is, however, one point I would like to raise which centres on paragraph 4.8.5 on Page 24 of the "Railway Lands Part II: Proposals". This paragraph states in part... "The Planning and Development Department has not received any information which would suggest that adequate passenger and freight service cannot be satisfied within the consolidated rail corridor outlined in the proposed Part II Plan. The concerns contained in City Council's recommendation (Recommendation 4, Appendix I) and the Land Use Committee referrals (Item 1, Appendix II) have been adequately addressed by the proposed Part II Plan.

I take exception to this statement on the basis that the VIA Rail/GO Transit "TTR Capacity Study" has not yet been completed and that three letters of concern on this matter have been forwarded to the City. i.e. September 13, 1984 a letter from myself to you noting the ongoing study and VIA's position; October 2, 1984 a similar letter from H. W. Clelland of GO Transit to yourself; February 4, 1985 a letter from G. H. Johnston, A.D.M., Provincial/Municipal Transportation to W. Sorensen, noting that agreement on the highline relocation would not be forthcoming until completion fo the study.

It may be that on completion of the study, VIA and GO will agree that adequate capacity is available in the rail corridor defined by the City. However, at this time I will not prejudge the results. The study is presently scheduled for completion in late May and comments from GO Transit and VIA Railway should be forthcoming shortly thereafter."

13. Letter from A. S. Macpherson, M.D., M. Sc., Medical Officer of Health (dated March 11, 1985).

"I am pleased to have the opportunity to respond to your letter of December 17, 1984, regarding the Railway Lands Environmental Overview Study and the draft Part II Plan dealing with environmental matters.

With respect to the process outlined in Sections 9 and 11 of the draft Part II Plan, I have made detailed comments which are attached. Additionally, I have tried to address my comments on the Environmental Overview Study to the process proposed in the draft Part II Plan.

In general, I support the use of a Holding By-law to make zoning approval conditional upon an Environmental Agreement and a Precinct Agreement. The concept of a phase by phase environmental review process is innovative and has merit. Essentially, this process should suffice to address environmental health considerations that have been of concern to me and to City Council. In my detailed remarks on the Environmental Overview Study I have noted the instances where I feel that the process may be insufficient.

You will note that I have made a number of suggestions, some of which involve additional reports from you to the Land Use Committee. These suggestions reflect my feeling that there are still a few gaps, both in your proposed plan (regarding housing), and in the treatment of potential environemntal problems (regarding air quality). From a public health perspective these are the major problems with the package you will be bringing forward.

Let me conclude by saying that I welcome this involvement in the review of the Environmental Overview Study and the draft Part II Plan. I hope that you will find my comments and suggestions useful. I or my staff would be happy to discuss with you any of the matters I have dealt with here."

Comments of the Medical Officer of Health on the Railway Lands Draft Part II Plan and the Environmental Overview Study for the Railway Lands Steering Group

1.0 Draft Part II Plan

1.1 Environmental Agreement (Section 9)

My greatest concern with respect to the environmental review process embodied by the requirement for an Environmental Report and subsequent Agreement for each precinct is that there is no provision for ongoing public consultation. It is my understanding that the only opportunities that the community will have to scrutinize and comment on environmental matters associated with the proposed development of the Railway Lands are: 1) when the draft Part II Plan is presented to Council; 2) when the draft zoning By-laws are presented to Council; and 3) when and if public hearings under the Environmental Assessment Act are required for public sector components of the development.

In effect, public input into the environmental assessment process is limited to the initial stage. It seems to me to be contrary to the best interests of our citizens to consider public input regarding environmental matters only at the beginning of a process that is expected to span at least 20 years. Surely legitimate public concerns will change over time just as environmental factors will.

In my view the public should have the opportunity to be heard on a precinct by precinct basis - particularly for precincts containing lands designated for housing, parks and other public uses.

Therefore I suggest the following:

1) That the Commissioner of Planning and Development amend the draft Part II Plan to include a procedure for publications of and public consultation regarding Environmental Reports, for precincts containing lands designated for housing, parks and other public uses that would not normally be subject to the Ontario Environmental Assessment Act.

Another issue which I believe deserves further consideration is the matter of enforcement of the Environmental Agreement. Mention has been made neither of the manner in which compliance with an Agreement would be monitored or of how non-compliance would be dealt with after the "holding" designation has been lifted.

For example, how will it be determined that suppression of dust during excavation and construction meets with the terms of an Agreement" (cf. p. 5-15 Environmental Overview Study). Will inspections be done? By whom? If, upon inspection, dust levels are found to be unacceptable and in contravention of an Environmental Agreement, how will compliance be obtained? Will a fine be levied for violating an Agreement? Will further inspections be undertaken? Who will have the lead role in enforcement - the City, the Ministry of Environment?

In the interest of ensuring that Environmental Agreements meaningfully address problems raised in Environmental Reports and actually do protect the community's health, I suggest that enforcement provisions and sanctions for non-compliance be built into these Agreements.

Therefore I suggest:

2) That the Commissioner of Planning and Development amend the draft Part II Plan to include a clause concerning enforcement of Environmental Agreements.

1.2 Precinct Agreement (Section 11)

My greatest concern regarding the Precinct Agreements involves housing. In view of the severe shortage of affordable housing in Toronto and the position of the Board of Health regarding the need for adequate affordable housing to sustain the health of our citizens, (see Board of Health, November 20, 1984), I believe that provision of housing in the Railway Lands should be a major objective of the Part II Plan. This position is consistent with the "Goals and Objectives" for the Railway Lands, adoptec by City Council in 1978, and with the City's Official Plan.

Having said this, I find that the absence of a mechanism for ensuring substantial development of affordable housing on the Railway Lands is a serious shortcoming in the process outlined in the Part II Plan. Precinct Agreements will require developers to convey to the City lands designated for housing which they themselves do not plan to develop. I am not aware of any arrangements whereby the City can be certain of securing funding to develop assisted housing once it obtains these designated lands.

A second concern regarding housing is the timing of development of residential uses in the Railway Lands. In a report to Land Use Committee on November 28, 1983, the Commissioner of Planning and Development indicated that he would "... seek to ensure that a residential component is included in each phase of development." It seems to me that the process outlined in the draft Part II Plan falls short of meeting this commitment. I do not believe that any kind of assurance will be given through Precinct Agreements, (as they are proposed in the draft Part II Plan) that each phase of development - i.e. each precinct - will include a residential component.

A related matter which concerns me is the uncertainty at this stage of the proposal regarding how much housing is planned for the Railway Lands, and at which locations. Since the Railway Lands Development Concept was released in September, 1983, much discussion has surrounded housing targets for the Railway Lands, and certain parameters affecting anticipated residential units and their locations have changed (e.g., announcement of the CN Tower location for the proposed Metro domed stadium). It is my position that before we approve a planning process for the Railway Lands, we must be clear about the particulars of the plan itself with regard to housing.

Finally, in view of the "notwithstanding" clause (Section 11.13) in the draft Part II Plan, it appears that it may be possibile for City Council to waive conveyance to the City of lands designated for housing. I believe it is not in the best interests of our citizens that the only mechanisms (in Precinct Agreements) available to the city for protecting residential development in the Railway Lands is discretionary.

In view of the above considerations regarding housing in the Railway Lands I wish to suggest the following:

3) That the Commissioner of Housing and the Commissioner of Planning and Development be asked to report to the Land Use Committee on alternatives for ensuring that aniticpated residential unit goals specified in the Railway Lands Development Concept are met. This report should include a realistic assessment of the prospects for obtaining funding for developing assisted housing (over the next 20 years) from federal and provincial governments. Additionally, the report should explore possibilities for requiring developers to contribute to development of affordable housing, above and beyond simply conveying lands to the City for housing.

4) That Precinct Agreement requirements, as outliend in Section 11 of the draft Part II Plan, be amended to ensure that a residential component is included in each phase of development of the Railway Lands.

5) That the Commissioner of Planning and Development be asked to report to the Land Use Committee up-to-date figures for anticipated residential units in the Railway Lands, broken down by proposed precincts.

6) That Section 11.13 of the draft Part II Plan be amended so that Precinct Agreement requirements regarding housing are protected by exemption from the "notwithstanding" clause.

2.0 Environmental Overview Study for Railway Lands Steering Group

I find the Overview Study problemmatic in terms of its treatment of the issue of protecting water quality. The Overview Study fails to deal with constructively (in fact, it appears to minimize) an important problem - how development of the Railway Lands and consequent increases in pollution discharges into the Inner Harbour can be reconciled with MOE's Surface Water Quality Mangement Policy 2 which prohibits further degration of receiving waters such as the Inner Harbour, where Provincial Water Quality Objectives are not met.

References to upcoming guidelines, stormwater treatment and stormwater management do not reassure me that the process outlined will provide adequate safeguards against further contamination of Toronto's Inner Harbour by development of the Railway Lands.

My major concern involves a parenthetical reference on Page 6-11 of the Overview Study to the possibility of an exemption from MOE's Water Quality Management Policy 2. I infer from this reference a suggestion that an exemption would solve the problem of siginficant additional discharges from the Railway Lands into the Inner Harbour. Such a suggestion runs counter to my position and the position of the Board of Health concerning the paramount importance of protecting Toronto's water supply.

Certainly I am supportive of the concept of stormwater management to protect Toronto's water supply. To the extend that the process outlined in the Overview Study effectively prevents further contamination of the Inner Harbour from Railway Lands discharges, I support that process. It is most unlikely, however, that I would endorse, now or in the future, attempts to obtain exemptions from MOE's Surface Water Quality Management Policy 2.

2.2 Air Quality:

In the Executive Summary of the Overview Study, the authors conclude that, "Since the predicted air quality, after the development is completed, should remain significantly below the acceptable MOE criteria, no new action or procedure would be required" (p.7). This conclusion is not supported by the data (presented in Chapter 5) for total suspended particulate matter (TSP), and lead, but is largely supported for other criteria pollutants.

Total suspended particulate matter exceeded the Ontario criterion 20-40 percent of the time in 1981 and 1982. Lead emissions are a longstanding problem at the western section of the Railway Lands, where concentrations of lead exceeded the provincial criterion nine percent of the time in 1982. We know, as the Overview Study reports, that emissions from Toronto Refiners and Smelters (28 Bathurst Street) are responsible for high levels in this region. Possible source(s) of elevated TSP levels mentioned in the Overview Study are industry, major roadways, construction related activities, and "general movement of contaminated air masses."

My main concerns about this portion of the Overview Study are:

a) that the problems with particulate and lead pollution in and around the Railway Lands are minimized; and

b) having overlooked these pollutants as constituting a significant problem, the authors of the Overview Study therefore have neglected to consider the range of possible procedures for abatement (e.g., in the case of TSP, not permitting construction of any new point sources until ambient levels meet the Ontario criterion; vigorously pursuing ways of encouraging automobile commuters to switch to public transit, etc.).

Having raised these concerns, I should point out that I have no objections to having Environmental Reports address the specific points raised on page 8 of the Overview Study, which can be summarized as follows:

- TSP and dust should be reduced by further MOE requirements for discharge quality control
- the possibility of high-rise buildings trapping industrial plumes must be addressed on a case-by-case basis
- air circulation designs in buildings near roadways must minimize intake of polluted air
- wind tunnel studies should be dome for specific developments to ensure lake breeze ventilation
- the potential for lake breeze inversions should be considered for developments with buildings higher than 100 m.

- industrial relocation and further controls to abate odours should be encouraged

- proposed industrial developments with potential air quality problems should be examined on a case-by-case basis, relative to local air quality.

Furthermore, I agree in principle with the procedure recommended on page 7, of using MOE guidelines (and presumably, legal standards as well) and examining existing and predicted air quality through precinct Environmental Reports. I feel, however, that the suggested procedure and points to consider are incomplete, especially in light of the concerns I have raised about elevated TSP and lead pollution in the Railway Lands.

Unless TSP levels have fallen drastically in the past two years (i.e. to meet the Ontario criterion most of the time), an analysis should be done of likely sources of elevated levels of particulate pollution in the Railway Lands, including relative contributions of various sources to observed ambient concentrations. Such a study is a necessary first step in identifying appropriate control measures, and should be done for the entire Railway Lands, prior to development of individual precincts.

In relation to the above, it is not sufficient to consider only sources within or immediately adjacent to (e.g. major roads) the Railway Lands. Rather, the air environment of the Railway Lands development should be considered in the context of downtown as a whole. Pollution from industrial and other stationary sources (e.g. municipal incinerators) that might impinge on the Railway Lands should be investigated both in initial analysis of TSP sources and in future Environmental Reports.

Finally, I am greatly concerned about the possibility of development of the western sector of the Railway Lands proceeding while Toronto Refiners and Smelters remains in operation at its present location. It is quite likely that I and the Board of Health would wish to examine closely any proposal(s) for development of that sector.

In the matter of air quality considerations for developing the Railway Lands, I wish to suggest:

7) That the Commissioner of Planning and Development undertake or commission an analysis of likely sources of particulate pollution impinging upon the Railway Lands and their relative contributions to ambient concentrations. This study should include recommended

strategies for reducing TSP in the Railway Lands to meet the Ontario criterion."

APPENDIX 4

Summary of Revisions to the Version of the Part II Plan Included in the Proposals Report

The following revisions have been made to the version of the proposed Part II Plan which was included in the March 18, 1985 report entitled Railway Lands Part II: Proposals. All of these revisions are incorporated within the text of the Part II Plan contained in Appendix 1 to this report.

Section	Revision	Reason
1.3	Reference is made to Bathurst-Spadina Medium Density Mixed Commercial-Residential Areas A, B and C rather than to Bathurst-Spadina Neighbourhood	Reflects change to establish more refined land use designations in Bathurst-Spadina
2.5	New Section	Establishes that entirety of Railway Lands is to be included in quinquennial reviews and monitoring required by Sections 1A.5 1A.8 of Part I Plan
3.1(b)(ii)	Reworded	For clarity
3.1(b)(v)	Reference added to additional new street	Change required by changes related to Community Park in Bathurst-Spadina
3.1(b)(vi)	The word "streets" added after the word "Parkland" in second paragraph	More accurate reflection of Front Street General Use Area A
3.3(b)	The words "lots within the Bathurst-Spadina Medium Density Mixed Commercial-Residential Area C which front on Bathurst Street" added after the words "all General Use Areas"	In view of related changes to Community Park in Bathurst-Spadina, street-related retail is highly desirable along Bathurst Street

Section	Revision	Reason
3.4(a)(ii)	Reference to additional north-south street added	Reflects changes related to Community Park
3.4(a)(iii)	The word "item (i)" replaced by "paragraph (i)"	For clarity
3.4(c)	The words "and pedestrian linkages" added after the words "along streets"	Clarifies that street-related retail uses are permitted along pedestrian routes such as the teamways as well as along streets which pass under the rail corridor
4.1(b)	11.8.4 changed to 10.8.4	typographical error
4.3	The word Neighbourhood deleted and Area changed to Areas A, B and C	For clarity
5.2	The words "should be located convenient to places of concentrated pedestrian activity and that those community services and facilities" deleted after the word "Railway Lands".	Clarifies that community services and facilities are not to be encouraged along the busiest street, (See letter from Board of Education)
	The word "those" added after the word "that".	For clarity
	The words "In addition" added before the word "Council" in second sentence	For clarity
5.3	The words "if any, and" added after the word "schools"	See letter from the Board of Education
5.4	The words "for elementary and secondary school students" added after the word "schools"	For clarity (See also letter from Board of Education)
	The words "bounded by Front Street, Portland	Reflects change related to Community Park

Section	Revision	Reason
	Street, The Esplanade West and Bathurst Street" replaced with the words "which is located east of the extension of Portland Street and north of The Esplande West"	
6.3	Sentence added immediately before the last sentence related to archaeological and historical qualities of Central Park site	Establishes archaeological and historical significance of the Central Park site (See draft letter from Ministry of Citizenship and Culture)
6.4	The words "in the area bounded by Front Street, Portland Street, The Esplanade West and Bathurst Street" replaced with the words "in the Bathurst Spadina Neighbourhood located east of the extension of Portland Street and north of The Esplanade West"	Reflects changes related to Community Park in Bathurst-Spadina
	Last sentence replaced with the following: "This community park shall be easily accessible from the north by crossings over the rail corridor"	Reflects changes related to Community Park in Bathurst-Spadina
6.5	The word "west" immediately before "of Portland Street" replaced with the word "east"	Reflects change to Plan in Bathurst-Spadina
6.7(b)	Reworded	For clarity
7.1	The words, "the John Street signal tower and Cabin D" added at the end	Establishes historical significance of these elements (See draft letter from Ministry of Citizenship and Culture)
7.5	New Section	Establishes historical significance of John

Section	Revision	Reason
		Street Pumping Station (See draft letter from Ministry of Citizenship and Culture)
7.6	New Section	Establishes archaeological strategy which recognizes the archaeological and historical significance of the Lands (See draft letter from Ministry of Citizenship and Culture)
8.2.3(b)	The words "The extension of" added before the words "Simcoe Street"	For clarity
8.2.6	New Section	Reflects changes to Community Park in Bathurst-Spadina
8.2.9 (formerly 8.2.8)	Reworded	For clarity
8.4.1(b)	The word "Avenue" added after the word "Spadina"	For clarity
8.4.1(d)	Reworded	For clarity
8.4.2, 8.4.3, and 8.4.4	Reworded to refer to a rapid transit "corridor" instead of a rapid transit "service"	For clarity - corridor not linked exclusively to one specific service
9.1	The words "Section 11.8" replaced with the words "Sections 11.9 and 11.12(o)"	Correction of technical error
	Last sentence added	Establishes particular environmental concerns in Precinct "A" (Stadium Precinct)
9.5	The words "the City or"	Only applicant can

Section	Revision	Reason
	deleted immediately before the words "the applicant"	appeal under Section 35 of The Planning Act
9.6	Last sentence added	Establishes Council policy with respect to district heating and cooling
10.1.3(b)	Reworded in order to include material inadvertently not included in previous draft	Technical error
10.2.1(c)	The words "by other commercial uses" added after the words "appropriately linked"	For clarity
10.2.2.(b)	Reworded	For clarity
10.2.2(c)	The word "any" added before the words "gross floor area" and the word "that" added before the words "the residential density"	For clarity
10.2.4(b)	Reworded	For clarity
10.2.4(c)	The number "10" replaced with the number "100"	Correction of typographical error
	The word "uses" replaced with the word "used" in the fourth from the last line	Correction of typographical error
10.2.6	The word "with" added before the words "non-residential uses" in the fifth line	Correction of typographical error
10.4	The words "shall have a compatible form and scale, which reinforces" replaced with the words "should be compatible in form and scale and should reinforce"	For clarity

Section	Revision	Reason
10.4.1(g)	"8.2.1 through 8.2.9" changed to "8.2.1 through 8.2.10"	Technical error
10.5.2(b)	Reworded	For clarity
10.5.3(a)	The number "5.0" replaced with the number "4.0"	Reflects changes related to Community Park in Bathurst-Spadina area
10.5.3(b)	The number "3.5"replaced with the number "2.5"	Reflects change to Plan in Bathurst-Spadina area
10.6.1-10.6.9	New sections 10.6.5 and 10.6.6 added and other sections reworded	Reflects refinements to use and density provisions for Bathurst-Spadina, including establishment of Medium Density Mixed Commercial-Residential Areas A, B and C
10.8.1(c)	Reworded	For clarity
10.8.4 preamble and sub-sections (a)-(g)	New paragraph (b) added and other provisions revised	Establishes that density transfers are permitted in Bathurst-Spadina, but that non-residential gross floor area may not be transferred to a lot where non-residential density is not permitted by the Part II Plan. Maximum Non-Residential Density or Mixing Formula Constant for Front Street General use area changed from 6.0 to 5.0 to reflect changes to Community Park in Bathurst-Spadina
11.2	The letter "H" replaced with the letter "h"	To eliminate confusion in Zoning By-law Map with height restrictions
11.3	The words "Section 11.4 through 11.17, inclusive" replaced with the words "Section 11".	For clarity

Section	Revision	Reason
11.6	The words "Section 34 of The Planning Act and in compliance with" added before the word and numbers "Sections 11.12 and 11.13"	For clarity
Section	Revision	Reason
11.7(h)	The words "in accordance with the provisions of this Plan" replaced with the words "in conjunction with the development of the precinct and pursuant to Section 4.4 of this Plan."	Intended to clarify that housing on site or sites to be provided to the City in conjunction with the removal of the "h" from a precinct may not necessarily be located in the precinct from which the "h" is removed
11.7(m)	Semi-colon and the word "and" added	Due to additions of new Section (n)
11.8(n)	New section	Links precinct plan to archaeological strategy
11.8(a)(ii)	The word "could" replaced with the words "is to be generally"	For clarity
11.8(c)	New paragraph	For clarity
11.10	The following sentence has been added: "The application will also be the subject of a public meeting to be held by the City's Land Use Committee, or any successor to that Committee prior to Council's consideration of a bylaw to remove the Holding Symbol."	To ensure that Council takes the view of the public into account before enacting a bylaw to remove the "holding symbol" from a precinct
11.12	The words "pursuant to Section 34 of the Planning Act" added after the words "enact a bylaw"	For clarity

Section	Revision	Reason
	and after the words "to an application".	
11.12(m)	New paragraph, with relettering of following paragraphs as required.	Links application for Precinct "A" to archaeological strategy
13.1 Map C	Bathurst-Spadina Medium Density Mixed Commercial-Residential Area changed to Areas A, B and C.	To reflect change in the Part II for this area.

APPENDIX 5

Cross Reference Guides Requested by the Land Use Committee at its Meeting of April 23, 24 and 25

The following cross-reference guides were requested by the Land Use Committee at its meeting of April 23, 24 and 25. The item numbers refer to the Council recommendations and Land Use Committee referrals included in Appendix I and Appendix II, respectively, of the March 18, 1985, Railway Lands Part II: Proposals and Railway Lands Part II: Implementation Strategy reports. The sections of the draft Part II Plan referred to below are numbered in accordance with the version of the draft Part II Plan included in the Proposals report.

CROSS REFERENCE GUIDE - COUNCIL ACTIONS

ITEM	SECTION IN PROPOSALS REPORT	SECTION IN DRAFT PART II	SECTION IN IMPLEMENTATION REPORT
1. Request for reports on Part II & Implementation Strategy		(action taken)	
2. Advice to Metro of Council's actions; expedite CWTS, as per City's response		(action taken)	
3.(i) Increased housing	4.4 4.10.7	4	4.1 4.2 6.1 7.4.2
3.(ii) Phasing plan	4.10.9	2.4 11	3 6
3.(iii) Costs to developer			5
4.			

ITEM	SECTION IN PROPOSALS REPORT	SECTION IN DRAFT PART II	SECTION IN IMPLEMENTATION REPORT
Maintenance of Intercity rail	4.8.5	2.2 3.4 8.5.2	
5. Reduce barrier effects of tracks	4.6 4.8.1 4.10.6	2.1 3.4 6.1 8.3.1 10.5.5	
6. No prejudice to GO service	4.8.4	8.4.1 8.4.4	
7. Energy efficiency			9.6
8. Revised cost benefit			5 5.4
9. Report from the Commissioner of Property	(request to Commissioner of Property)		
10. Comments from departments & agencies on capital costs	1.1		5.4
11. Report from Commissioner of Property on value of City rights	(report from Commmissioner of Property to follow)		
12. Recovery of parks costs			5 5.4
13. Council resolution re: housing	(no reporting requested)		
14. Report from Commissioner of Housing re: means of achieveing housing targets	(report from Commissioner of Housing to follow)		

ITEM	SECTION IN PROPOSALS REPORT	SECTION IN DRAFT PART II	SECTION IN IMPLEMENTATION REPORT
15. Council resolution re: expressways	(no report requested)		
16. Report on ways to encourage shift in modal split	(report to follow)		
17. MOH invited to attend steering group	(action taken)		
18. Environmental process	2.2 4.9 4.9.1	9.1 9.5 11.7(1) 11.9 11.11 11.12(h) 11.17(d)	3.2.1 3.2.2
19. Environmental Assessment	2.2 4.9 4.9.1	9.1-9.5	
	See also, Environmental Overview Study prepared for Steering Group by DelCan		
20. Costs & benefits to Metro, public & separate School Boards	1.1		
21. Resolution of Council re: Special Counsel and City's property & interests	(no report requested)		
22. Relocation of Gardiner to south of rail corridor	4.3		
23.(i) Report on dangerous commodities by railways		See Environmental Overview Study; Chapter 7 Report from Railways to follow	

ITEM	SECTION IN PROPOSALS REPORT	SECTION IN DRAFT PART II	SECTION IN IMPLEMENTATION REPORT
23.(ii) Recommendation to CTC re: dangerous commodities	(no report requested)		